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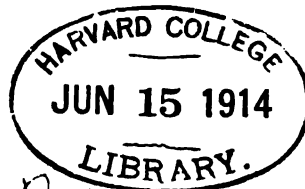


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PREFACE.

AT a Meeting held in Ayr on the 19th of October 1877, under the presidency of the Earl of Stair, Lord-Lieutenant of the counties, it was determined to form an Archæological Association for Ayrshire and Wigtonshire.

The objects of the Society will be best explained by the following resolutions, which were unanimously agreed to at the Meeting :—

“Proposed by the Hon. G. R. VERNON, and seconded by the BISHOP of GLASGOW—
‘That it is desirable to preserve some record of the various prehistoric and mediæval remains of antiquity in Ayrshire and Wigtonshire.’

“Proposed by Captain BOYLE of Shewalton, and seconded by T. M. GEMMELL, Esq., of Frankville—‘That there are many early charters, original MSS., and other matter relating to the history and topography of the counties, which would be of great interest and value to print.’

“Proposed by Major CAMPBELL of Craigie, and seconded by R. W. COCHRAN-PATRICK, Esq., of Woodside—‘That the best means of accomplishing these objects is to establish a Society for the purpose of printing from time to time collections relating to the above subjects, with an annual subscription of one guinea.’

“Proposed by Sir WILLIAM J. MONTGOMERY-CUNINGHAME, M.P., and seconded by Major CAMPBELL—‘That the Earl of Stair, K.T., be President of the Society.’

“Proposed by GRAHAM SOMERVELL, Esq., of Sorn, and seconded by Dr. MACDONALD—
‘That the Marquess of Bute, the Marquess of Ailsa, the Earl of Eglinton, the Earl of Galloway, the Earl of Glasgow, Viscount Dalrymple, the Right Honourable Sir James Fergusson of Kilkerran, K.C.M.G., Sir Herbert Maxwell of Monreith, Sir W. J. Montgomery-Cuninghame, M.P., Sir Andrew Agnew of Lochnaw, Sir William Wallace of Lochryan, be Vice-Presidents; that R. W. Cochran-Patrick of Woodside be Hon. Secretary for Ayr-

shire ; the Rev. Mr. Wilson, Glenluce, Hon. Secretary for Wigtonshire ; and that C. G. Shaw, Esq., be Treasurer.'

" Proposed by Captain HAMILTON of Pinmore, and seconded by Mr. DICKIE—' That a Committee be appointed to draw up a constitution and rules for the Society, and to collect materials for the first volume of collections—the Committee to consist of the President, Vice-Presidents, Secretaries, and Treasurer, and the following members :—The Hon. G. R. Vernon ; Roger Montgomerie, M.P. ; Col. Weston, F.S.A. ; Captain Boyle of Shewalton ; F. T. R. Kennedy, yr. of Dunure ; Wm. Cooper, yr. of Failford ; and Dr. Macdonald, Rector of Ayr Academy, with power to add to their number.'

" On the motion of Sheriff ORR PATERSON, a vote of thanks was accorded to Lord Stair for presiding."

The progress of the Society during the first year of its existence has been very satisfactory.

Upwards of three hundred members have been enrolled ; a large amount of valuable, original, and historical matter has been placed at the disposal of the Association ; and liberal donations have been received in aid of the objects of the Society.

The members are very particularly indebted to John Evans, Esq., D.C.L. Oxon., Professor Dr. George Stephens, of the University of Copenhagen, and Thomas Dickson, Esq., Curator of the Historical Department of the Register House, for the valuable articles specially written for and contributed by them to the present volume.

The series of Plates illustrating the remains of the Abbey of Kilwinning has been presented by John M'Gavin, Esq., who has also been at the entire expense of searching for, and transcribing, the various charters and documents relating to the history of the monastery. It is to be hoped that this liberal contribution will induce others to aid in illustrating the remaining ecclesiastical foundations in the district in the same way.

The engravings of the Bronze Buckler, by Mr. J. D. Cooper of London, are presented by the Marquess of Bute. The plates illustrating the Heraldry of Wigtonshire are drawn and presented by Sir Herbert Maxwell of Monreith. For the use of the plate of the Hunterston Brooch the Society

is indebted to Professor Dr. George Stephens. The engravings of the antiquities at Lanfine, by Mr. J. D. Cooper, are contributed by Miss Brown of Lanfine, who has also presented copies of some interesting historical documents in her possession, which will appear in a future volume. The engraving, also by Mr. Cooper, of the Caprington Horn, one of the most remarkable archæological relics in the district, is contributed by Mr. Smith-Cuninghame of Caprington. Mr. Gilchrist Clark of Speddoch presents three illustrations, by Mr. D. Williamson of Edinburgh (Figs. 37, 42, 43), in the Rev. Mr. Wilson's paper on the Stone Implements of Wigtonshire; and Mr. J. S. Dobie, F.S.A. Scot., the engraving of the urn found at Threepwood (Fig. 3, p. 42). Mr. Hunter of Hunter presents the engraving, by Mr. Cooper (Fig. 2, p. 40), of the urn found at Sea Mill, now in his collection at Hunterston. The Society is indebted to the Society of Antiquaries of Scotland for the use of the cuts of Figs. 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 29, 30, 38, 39, 40, and 41, by Mr. D. Williamson of Edinburgh, in the Rev. Mr. Wilson's paper, and Fig. 16 at page 53.

The authors of the various papers in the present volume have confined themselves to giving accurate descriptions and carefully ascertained facts, believing that at the present time archæological science will be best served by local societies permanently recording, in an authentic and reliable shape, the various objects of antiquity belonging to their district. The liberality of the members has permitted the free use of illustrations, and the importance of employing thoroughly competent artists has not been lost sight of. Besides those already mentioned, Mr. Cooper has engraved the woodcuts in Dr. Macdonald's two papers, excepting Figs. 13, 14, 15, 16. Mr. Utting of London has done the Kilwinning seals, and Mr. Williamson of Edinburgh the remaining woodcuts. The names of these gentlemen will be a sufficient guarantee for the quality of their work. The plates of Kilwinning Abbey were entrusted to Mr. William Galloway, architect, whose works on St. Magnus' Cathedral, Kirkwall, and other Scottish ecclesiastical

buildings, are well known. Advantage was taken of the operations for levelling the old churchyard by the heritors of the parish to examine more thoroughly than could otherwise have been done the lines of the foundations. The thanks of the Society are due to the heritors and residents in Kilwinning for the assistance given by them during the work, and particularly to Mr. Wylie, to whose valuable aid much of the success of the operations was due. The transcripts of the charters and documents relating to the Abbey were made by Mr. Walter Macleod, Edinburgh, who has also prepared the abstracts of their contents.

Besides the articles printed in the present volume, the following are either ready for publication in the next volume, or in active preparation :—

(I.) The Charters and Records in the custody of the municipalities of Ayr, Kilmarnock, and Irvine. Transcripts of these very important documents, which are of the highest interest in a historical point of view, are in progress, and will be printed from time to time. The liberal contributions made by the Town Councils of the burghs for the purpose of putting on permanent record their ancient muniments, shows that the Ayrshire burghs are not behind others in the enlightened interest taken in their past history. The Kilmarnock papers will be illustrated by a series of plates and plans of Kilmarnock Castle (or “The Dean”), presented by the Duke of Portland; and the Ayr collections with plates presented by ex-Provost Goudie. In all cases these records will be illustrated with *fac-similes* of the most interesting charters, engravings of seals, etc., so far as the funds placed at the disposal of the Society will permit.

(II.) A selection of letters from the Craufurdland MSS., contributed by Reginald H. Craufurd, Esq., of Craufurdland. This interesting correspondence passed between the sixteenth Earl of Sutherland and Lieutenant-Colonel Walkinshaw Craufurd in the years 1747-1750, and is transcribed from the originals at Craufurdland, and, by the permission of the Duke of Sutherland, from those at Dunrobin Castle.

(III.) A selection from the original charters and documents at Blair, presented by Captain Blair of Blair.

(IV.) A collection of early Charters relating to the parish of Tarbolton, contributed and compiled by William S. Cooper, Esq., yr. of Smithstone, LL.M. Cantab., F.S.A. Scot.

(V.) A description of the Parish Kirk of Kilbirnie, by J. S. Dobie, Esq., F.S.A. Scot. Illustrated by a series of plates of the remarkable carved wood-work in it, drawn by Mr. J. W. Small, architect (author of *Ancient Scottish Woodwork of the Sixteenth and Seventeenth Centuries*), and presented by the Earl of Glasgow.

(VI.) Transcript of the Protocol Book of Robert Brown, Notary Public in Irvine (1612-1620), from the original in the library of the University of Edinburgh, containing many documents of local interest.

In the archæological section a classified catalogue of the stone implements found in Ayrshire is in preparation, and an account of the crannog at Lochlea, near Tarbolton, will also appear in an early volume.

The Society have the pleasure of recording their thanks to the Society of Antiquaries of London for permission to engrave the Bronze Buckler found in Beith parish, and now in their possession; to the Society of Antiquaries of Scotland for permission to print the document given at p. 219; to the University of Edinburgh, and to the Faculty of Advocates, for permission to copy the documents in their collections. They have also to express their thanks to Colonel Weston, F.S.A.; Mr. Knight Watson, F.S.A., Secretary Society of Antiquaries; Mr. Alfred Kingston, Public Record Office, London; Mr. Richard Sims, British Museum; the Rev. H. O. Coxe, Bodleian Library, Oxford; Mr. Thomas Dickson, H.M. General Register House; Mr. Joseph Anderson, Museum of Antiquaries of Scotland; Mr. J. T. Clark, Advocates' Library; and Mr. Murray Lyon, Edinburgh, for their obliging assistance.

In conclusion, it is hoped that those who have anything of archæological

or historical interest connected with the counties will communicate it to the Society in order that it may be put on record.

As the volumes printed are limited to the Members for the time, it is necessary that those desirous of becoming Members for the next and succeeding volumes should communicate with the secretaries as early as possible.

R. W. COCHRAN-PATRICK,

Hon. Secretary for Ayrshire.

WOODSIDE, BEITH, *December* 1878.

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I.

NOTES ON THE ANCIENT STONE IMPLEMENTS OF WIGTOWNSHIRE.

It seems natural to begin this volume with a paper on some of the relics of the prehistoric periods, because they are not only oldest, but also least known. Their abundance in this district has given me facilities for observing them. It has been suggested that, before entering on the special subject of this paper, I should indicate what has already been done, and what remains to be done, in this county in the prehistoric field as a whole. I use the term prehistoric in a *loose* sense. It may be taken for granted that many objects of the various classes I am about to mention fall within our historic period; but it is likely that others are of greater antiquity. Comparatively little has yet been done in the way of publishing detailed descriptions of these antiquities. The late lamented Dr. John Stuart made a noble beginning on the subject of our lake-dwellings in his account of the crannogs in Dowalton Loch.¹ At his request I began a series of "Notes on the Crannogs and Lake - Dwellings of Wigtownshire," in which I have described some of those in Old Luce, and pointed out a good many more in the district.² Charles Dalrymple, Esq., F.S.A., has also published an account of a crannog at Castle Kennedy.³ Some notices have been published of implements of stone and bronze, of stone cists, and of some of the standing-stones.⁴ But no detailed account, and in many cases no account at all, has yet been published of many monuments of antiquity, which are very

¹ *Proceedings of the Society of Antiquaries of Scotland*, vol. vi. p. 114 ff., plates x. xi. xii.

² *Proc. Soc. Ant. Scot.*, vol. ix. pp. 368-378, and vol. x. pp. 737-739.

³ *Proc. Soc. Ant. Soc.*, vol. ix. pp. 388-392.

⁴ *The Lighthouse*, by Unda, a very rare little volume, of which only fifteen copies were printed for private circulation by R. and R. Clark, Edinburgh, gives a plan and description of the standing-stones of Torhousekie, and a drawing of the Hole-stane at Crowse, Kirkinner.

remarkable. There are cairns worthy of detailed description, and there is one in particular which seems to be quite unique in structure. There are standing-stones not yet described in any book. In the Rhinns, Glenluce, and Mochrum alone there are about fifty ancient forts. Some of the most interesting of these are not marked in the Ordnance Survey large scale maps, and no plan or drawing of any of them has yet been published, so far as I know. The same remark applies to our numerous hut-circles, and to the sites of several ancient towns or villages, some of which are fortified. Not one of the many caves on our rocky sea-coast has been searched to ascertain if it contains any prehistoric relics, and if so, whether they are deposited in successive layers. The excavation of the Borness Cave, near Kirkcudbright, shows that much may possibly be found in some of them, but I have neither funds nor leisure for digging.¹ There are shell-heaps on or near the sea-shore worth examining. There are also curious mounds of a horse-shoe form which I have only seen in Glenluce, and which have not been noticed in other districts. My note-book contains details on most of these subjects, but I find it difficult to prepare accurate plans and drawings.

This short statement is enough to show that there is a large and interesting field well worthy of investigation. Many are deterred by the difficulties which beset such subjects; but what is necessary, first of all, is, that the existence of such objects should be made known, and the facts carefully observed and accurately described in our pages for the information of scientific archæologists. This is all I undertake to do, and I do not profess to have seen all the prehistoric antiquities even of the parish I live in. There is need of help, and there is no time to lose, for many of our ancient monuments have been destroyed, and others are in great danger from the rapid extension of agricultural improvements on our moors and bogs. Many things have been destroyed which would have been spared had people been aware of their value. As regards all ancient *structures*, I would say to all who are not trained as scientific observers, "Hands off." When a structure is pulled to pieces or disturbed it cannot be restored, and its value as historical evidence is lost. I may also say that many implements, like those to be described in this paper, have been lost, which would have been safe if they had been deposited in the National Museum of Antiquities in Edinburgh. Articles which in most private collections are mere curiosities,

¹ *Proc. Soc. Ant. Scot.*, vol. x. pp. 476-507, plates xvii. to xxii.

have a scientific meaning and value when arranged beside others in the Museum.

The materials of a general paper on our prehistoric antiquities might be classified under the three heads of the Home, the Stronghold, and the Grave; and the implements now to be described might be classified as intended for use in peace or war. But it is likely that such an implement as a stone-axe, which it must have cost much time and labour to make, would be used alike in domestic work, in the chase, and in war. It is so among savage tribes at present.¹

The Scandinavian division of prehistoric times into the three ages of stone, bronze, and iron, can as yet be applied only in a very general way to the implements found in this district.² Those from different parts of the county have been found scattered about in various circumstances, which give no distinct evidence as to their age, and those found in such numbers near Glenluce are not deposited in any order of relative antiquity. Of their absolute antiquity all that can be said is that it must be great. Evans says—"The Caledonians in the time of Severus, who tattooed themselves with the figures of animals, and went nearly naked, carried a shield, a spear, and a sword, and wore iron collars and girdles, though they deemed these latter ornamental, and an evidence of wealth, as other barbarians esteemed gold."³ From this statement we might infer that while the collars and girdles were of iron, the sword and spear were of a different metal. In the first century Tacitus speaks of the large sword and short buckler of the Caledonians, but does not say of what metal they were made.⁴ Perhaps we may infer from the silence of the Roman writers as to weapons of bronze, and from the passage in Tacitus, that the swords were of iron.⁵ In Cæsar's time the inhabitants of South Britain were acquainted with the use of iron. We may infer that here, as elsewhere, the use of iron was subsequent to that of bronze; and that before the use of metals implements were made of stone. Of course, the knowledge of metals and the use of them are two quite distinct things. It is said that stone implements continued to be made, or

¹ Evans's *Ancient Stone Implements of Great Britain* (1872), p. 153.

² Nilsson's *Primitive Inhabitants of Scandinavia*, Lubbock's ed. (1868), p. 1; Worsaae, *Primeval Antiquities of Denmark* (1849), p. vi.; Evans, p. 2.

³ Evans, p. 10, where he quotes Herodian, lib. iii. c. 14.

⁴ Tacitus, *Agricola*, c. xxxvi.

⁵ Lubbock's *Prehistoric Times* (3d ed.), p. 7.

used, after bronze was in use.¹ This would be the case so long as metals were very scarce and costly; and, of course, stone implements are used by us when we find them most suitable. All we can do, therefore, is to compare the Wigtownshire implements with those found elsewhere, in circumstances indicative of their greater or less antiquity, as described in works like those just referred to.

The greater or less degree of roughness or finish of stone implements is of itself no criterion of relative antiquity. Very rough implements may be the oldest of all, or they may be the most recent, when the art of making them was falling into disuse. Their roughness may be owing to the material, to bad or careless workmanship, or to their being left unfinished. This is to be borne in mind when I am found describing the coarsest implements first.

The Glenluce implements of flint and other kinds of stone, and of bronze, were first described in 1876 in my notes of some of the articles then presented by me to the Museum of Antiquities in Edinburgh. In preparing them I was much indebted to Mr. Anderson, curator of the Museum, and now also assistant-secretary of the Society.² Since that date I have found a good many more, some of which are here described.

The Glenluce flints, etc., are chiefly found on, or near, certain old sea beaches at the north shore of the Bay of Luce. These are about 20 feet above the sea level, and run from north-east to south-west, in parallel storm-beaches, from a point near Park Hay, in Glenluce, to a point near Sandhead, in Stoneykirk, a distance of about six miles. These beaches are in most places covered by sandhills, called the Torrs. They contain many water-worn nodules of flint. How did these flints get there? In the paper referred to I hazarded the opinion that they are "the relics of a Scottish deposit of chalk:" but geologists demurred to this, and were inclined to think they had been imported as articles of commerce. One correspondent, who is an eminent geologist, thought they had been brought in coracles from the north of Ireland, where flint is plentiful. I am now able to state that they have been deposited by natural agency, for I have lately found them in the stratified gravel, in a large excavation at Dunragit railway station, and in a gravel pit at Genoch, which is very near some of the old beaches where I have found flints both wrought and unwrought. They are

¹ Nilsson, pp. xxv. xxxi. ; Evans, 129 ff.

² *Proc. Soc. Ant. Scot.*, vol. xi. pp. 580-587.

also found in gravel pits in Kirkmaiden and at Lochnaw Castle. It is for geologists to discuss whether they have drifted from the north of Ireland or some other quarter. For archæologists it is a more interesting question whether this deposit of drift contains chipped flints of the palæolithic period. As yet I have found none.

Some of the flints are very rudely, and others very finely wrought, but I have found none polished by being ground, like some of those from the north of Scotland.¹ The subdivision, some have proposed, of the neolithic period into two parts, that of the chipped and that of the polished stones, does not apply here.² When the sandhills are shifted by storms a curious mixture is found on the wind-swept surface,—circular patches of pavement, charred wood and bone, shells, wrought flints, with the splinters, flakes, and chips made in working them, hammer and anvil stones, fragments of old urns, and modern pottery and glass, pieces of bronze and rust-eaten iron, a flint arrow-head and a conical rifle-ball, or a coin of our good Queen Victoria, may all be seen lying in admired disorder. Yet here and there the fresh-blown sand discloses the relics of man's home and handiwork, which, after being covered for ages, are again exposed to the light of day, apparently undisturbed. I have seen, within a very few feet of each other, on the same level piece of indurated sand, a small circular pavement of gravel pebbles laid on the flat sides, a stone anvil firmly fixed upright in the moor-pan by some stones packed round its base, and bruised and splintered at the top by hammering, a handful of broken flints lying in front of it, and some hammer stones near it, and the remains of a coarse hand-wrought earthen pot, with the convex bottom set in a ring of oblong pebbles, stuck endwise in the sand, with the tops slanting outwards, all as left seemingly by the same workman. The pavement seemed to be the floor of a hut: there was no sign of its having been that of a grave. I believe no undoubted example of a hut, made in the stone age, has yet been found in this country, and it is impossible to decide whether this floor belongs to the stone or the bronze age. I have no doubt it belonged to a

¹ While these notes were in the printer's hands, J. Gilchrist Clark, Esq., of Speddoch, called and showed me an implement of flint, from Clachshiant, Stoneykirk, ground, and polished all over, with some chip marks not effaced, wrought to an edge on three sides, rounded at the angles,

and 3½ inches long, 2½ broad, and ⅞ thick. I hope to have a woodcut of it in a future volume.

² See the discussion in the *Compte Rendu de la 7^{me} Session du Congrès International d'Anthropologie et d'Archéologie Préhistoriques* (Stockholm, 1874), vol. i. pp. 142-147.

man who wrought flints. A cold wind made it impossible to make even a rough sketch, and when I next saw the place the shifting of the sand had made a drawing useless. In several places there are traces of circular pavements, with fragments of charred wood and bone, and shells. In two or three places the stones seem to have been exposed to the action of fire.

The movements of the sand are very capricious. In some places now breaking up it seems to have lain undisturbed for ages, covered by a thick turf of heath and grass; in others it is blown about by every wind. A large sandhill seems to take more than thirty years to shift its base entirely. The broad-arrow stones of the Ordnance Survey, deposited above thirty years ago on the summits of hills, are now found, in one case almost at the lowest level, and in another pretty far down. Yet, although the hills move so slowly, I have never found a new piece of beach laid bare on which the flints had not been chipped, and it is difficult to find a flint as big as a pigeon's egg unbroken. From these facts I infer that the sandhills were frequented for a very long time by the men who wrought the flints. In various places the beach stones have been carried in large quantities to a higher level.

I shall describe first the naturally-formed implements of stone, and then those shaped by the hand of man. This is Nilsson's method.¹ In his case it has had the disadvantage of leading him to mix stone implements of the bronze age with those of the stone age. In addition to the general cautions already given, I shall have occasion to mark some implements as doubtful in this respect.

1. NATURALLY-FORMED IMPLEMENTS OF STONE.

1. *Hammer-stones*.—Evans and others have shown how flints may still be chipped into regular forms by means of hard or tough stones.² When I began to look for wrought flints I was much interested by the discovery of various stones, which appeared to have been used as naturally-formed implements in splitting and shaping them. One day I set myself, with a friend, to look for them, and each soon discovered that the sandstone pebbles, bearing marks of hammering, were in most cases of a lightish gray colour.

¹ Nilsson, p. 10.

² Nilsson, pp. 6-9; Evans, chap. ii.

These seem to have been chosen for their greater toughness, which might make them suitable for working the much harder but brittle flint. They belong to the lower silurian rocks. The hammer-stones of quartz or granite pebble are often more easily discovered by touch than by sight, the naturally-polished surface feeling rough to the finger where it has been bruised by striking the flint. I mention this, because it is likely they often escape notice even where plentiful. When Evans's great work was published I found he directed attention to them as often overlooked.¹

Sometimes a workman seems to have gathered a few flints and pebbles of quartz or sandstone and sat down to work, and then to have left his temporary implements beside the flint splinters and chips, where they still lie. But there are places where the large quantity of splinters, chips, and flakes indicates a regular workshop. In such cases the workman is more likely to have used the same implements for a length of time.² I have picked up several which bear marks of much use. Some have an irregular circular depression worn on one or both flat sides at the centre, or near one end, but these are all unlike what are regarded as half-bored stone hammers; some of them have also grooves, showing that they have been used as hones. It seems likely that such stones were kept for regular use. The hammer-stones are of various sizes and shapes—spherical, ovoid, fusiform, spathulate, oblong, quadrangular, lenticular or irregular, according to the taste or wants of the users. Some are bruised on one or both ends, others on one or both sides or edges. Some of the quartz pebbles have almost every part of the originally smooth water-worn surface roughened by use. Some which happen to have natural depressions convenient for the thumb and fingers have the striking part worn on each side to a bevelled edge. I picked up one of these on the beach at the lake-dwellings of Machermore, Old Luce. I have gone into these details because these hammer-stones are more easily found on our sandhills than at other places where they may be no less common. Near lake-dwellings, where the beach consists of angular stones, any water-worn pebble should be looked at, because it must have been brought there by man, and is likely to bear marks of use as a hammer-stone.

2. *Anvil-stones*.—Near the farmhouse of Mid Torrs the tenant observed a somewhat cubical block of sandstone, about ten inches high, which had

¹ Evans, pp. 20 and 213-219.

² Nilsson, p. 11, plate i. figures 11 and 13.

been used as an anvil, and round it lay a number of hammer-stones ; but it has disappeared. There were circular pavements near it. At Knockencrunge (or Knockiecrunge) lies a water-worn sandstone pebble, about a foot in length, which has been used as an anvil. About this place there are traces of long occupation ; and I observed two weather-wasted granite stones, one of which has the spindle socket of a nether quern stone. At Clachshiant (vulgarly called Clayshant) I picked up a red sandstone pebble, measuring 5 by $4\frac{1}{2}$ by 2 inches, with depressions worn in the centre of each of its flat sides one inch in diameter and half-an-inch in depth.

A stone already referred to in connection with a circular pavement and broken pot may be described as a kind of anvil. It is an oblong pebble of tough sandstone, about 6 inches long and 3 inches broad. The broken flints lay close before it. The workman seems to have sat on the ground, with a leg on each side of it, and the pot at his back.

3. *Whetstones* or *hones*.—These are of various kinds. I have one very like the modern shape, but it is a naturally-formed piece of fine-grained grayish sandstone, $4\frac{3}{4}$ inches long, $1\frac{3}{8}$ broad, and $\frac{1}{8}$ thick, broken at the ends. Both faces are finely striated lengthwise, with a few striæ aslant and across ; a few deeper marks look as if made by the edge of a tool. It may have been used for sharpening tools of metal ; but I sent one flint to the Museum which I thought had its edge blunted by being rubbed against a stone.

Another sort is marked by straight or slightly curved furrows, about an eighth of an inch wide, and not quite so deep, generally with one side sloping more than the other, and running out to a point at each end. One from Loddanree, Old Luce, is oblong, nearly quadrangular, about 5 inches long and 1 inch thick each way, and bears marks of hammering. Many hammer-stones are also grooved in this way. I have a fine-grained sandstone pebble, measuring 6 by 2 by 1 inches. It is slightly tapering and curved towards one end, bruised on both ends, and shows circular depressions and grooves on each flat face. There is a slight twist in the stone, and each of the depressions at the smaller end is nearest the edge where the thumb rests when the stone is grasped by the thicker end. This shows that the depressions are worn by using the stone as a hammer on some hard substance. A narrow groove cut aslant the small end looks as if made by a sharp edge of metal. The relative antiquity of this implement is therefore doubtful.

A third variety seems to have been used for rubbing with, and may be a kind of polisher. I have a lenticular pebble of fine sandstone, 2 inches by $1\frac{1}{2}$ by $\frac{1}{4}$, finely striated on both faces, and with one curved groove. One in the Museum, about twice this size, has no groove.

Another variety is represented by a specimen I have from the lake-dwelling at Barlockhart, Old Luce, which is in two pieces—one of which was found by Lord Rosehill, and the other by the Earl of Stair.¹ A part is broken off and lost. It measures 7 by 9 by 3 inches, and has two sloped surfaces meeting at an obtuse angle, one of which is worn quite smooth, with one slight groove on it, and the other has on the natural glacial polishing a slight hollow $1\frac{1}{2}$ inch long and $\frac{1}{2}$ inch wide, apparently worn by some small implement. At this place I have found querns, and it seems to have been long frequented.

4. *Pounding-stones*.—Some of the larger pebbles have one end worn flat, and seem to have been used for pounding hard substances. I have found them on the sandhills, and also on a crannog in Machermore Loch.

5. *Mealing-stones*.—I have only seen one, found in a field at Machermore. It is of gray granite, 9 by $7\frac{3}{4}$ by $3\frac{1}{2}$ inches, oval, flattish on the upper side, and rounded off at the edge; the under side measures 8 by 6 inches, is about a $\frac{1}{4}$ inch higher across the centre than at the ends, and is worn as if by being rubbed back and forward in the direction of the longer axis on a concave nether stone. I have not seen a nether mealing-stone. These are older implements than the querns, which were plentiful, and were in use till a recent date.

Some spherical pebbles found on a crannog in Machermore Loch look as if they had been heated in the fire. In describing that crannog I spoke of them as *boiling-stones*. They *may* have been used for making water boil in earthen pots which were not baked well enough to stand the fire; but there is no proof of this, and they may simply have had fire kindled above them. There are similar stones on the sandhills.

6. *Polishers*.—Besides two stones described among the whetstones I shall notice a piece of hæmatite iron ore, $1\frac{3}{4}$ by $2\frac{1}{2}$ by $1\frac{1}{4}$ inches, polished on one surface, $1\frac{3}{4}$ inch square, and also on part of each flattened side, and of one end. It is so smoothly polished still that its antiquity seems very doubtful. It was ploughed up in a field in Kirkcolm, and was presented through me to

¹ *Proc. Soc. Ant. Scot.*, vol. x. p. 738.

the Museum by Charles Wallace, Esq., of Dally, a member of this Association.

It is evidently impossible to ascertain whether some of these implements belong to the stone or the bronze age; one or two of them may even belong to the iron age. We may regard most of them as having been used by the men who made implements of flint, and as belonging both to the stone and the bronze age.

2. ARTIFICIALLY-FORMED IMPLEMENTS OF STONE.

§ 1. *Celts*.—I shall follow the classification of Evans, and use his descriptive terms, which he thus defines.¹ “The end opposite the cutting edge is the *butt end*; the two principal surfaces are the *faces*; and these are either bounded by or merge in the *sides*, which are usually sharp, flat, or rounded.”

(A.) *Unpolished Celts*.—In a small collection from West Mains of Baldoon, Kirkinner, kindly sent for my inspection by Mr. Broadfoot, there is a very rude implement, which I place here. It is a rough pebble of dark gray sandstone, of irregular oblong form, 6 by $1\frac{3}{4}$ by $1\frac{1}{4}$ inches, broadest at the curved cutting edge, which is naturally formed, and broken by use, and narrowing to the butt, which is chipped off, and is $\frac{7}{8}$ ths broad and $\frac{1}{2}$ inch thick. One side looks as if ground, but I think the surface is natural; the other slopes to one face, which is slightly concave just above the middle, and the convex face opposite this part is chipped at both sides, as if to give a firm hold for a haft. I have seen no other of this type, and its age is doubtful.

(B.) *Polished Celts*.—Of course these were rough when first chipped, and the greater or less degree of polish does not of itself prove their greater or less antiquity. Most of those I have seen are made of stone not found in this district, indurated claystone being most common. I shall begin with those least polished. Celts ground at the *cutting edge only* have not yet been reported in this county.

Celts wrought in *longitudinal bands*, so that a cross section is not a regular ellipse, but shows a number of straight lines meeting at very obtuse angles, and is truncated at both ends. In the cabinet of Sir Andrew

¹ Evans, p. 59.

Agnew, Bart., Lochnaw, there is a claystone celt of this type, found in draining a peat bog at the head of Aldouran Glen, Leswalt. It is $7\frac{3}{4}$ inches long, $2\frac{1}{2}$ broad at the smooth cutting edge, and 1 thick, and is ground in five bands on one face and six on the other, flattened at the sides, with several chip marks not ground out. I have one from Torrs, Old Luce, with the cutting edge broken off, 6 by $2\frac{1}{2}$ by $1\frac{1}{4}$ inches, with the longitudinal bands nearly effaced, very distinct cross striæ above the longitudinal ones, several chip marks not ground out, and the sides flattened.

A claystone celt, ploughed up about twelve years ago in the Fey field at Cults, Whithorn, and lent to me by Mr. Hughan, farmer there, is 7 by $2\frac{1}{2}$ by $1\frac{3}{8}$ inches, broadest at the cutting edge, which is quite smooth, the slightly curved flat band on each side $\frac{1}{4}$ inch wide, and six or seven bands on each face nearly obliterated. It is damaged at the butt, and on one side.

Celts having *polished faces and flattened sides*.—Fig. 1 shows a claystone celt of this type.¹ It is 8 inches long by 2 broad, and shows with unusual distinctness the mark of the haft in a dark band passing obliquely across the upper part of the face. The acid in peat water discharges the colouring matter from the surface even of hard stones, and the dark band shows where the celt was partially protected by the wood of the haft. The oblique position of the haft accounts for the cutting edge being most worn at one side. It was found at Ervie, Kirkcolm, at the bottom of a bed of peat eight feet deep, beside some stones, which seem to have been a hut floor, and some rotten wood. It was presented, through me, to the Museum in 1872, by Mr. Peter Harris, farmer at Ervie. I presented to the Museum six celts of this type. One of claystone, from Glenluce, is $11\frac{1}{2}$ inches long and 3 across the cutting edge. Another, $8\frac{1}{2}$ inches by 3, was found about the year 1851 at Gleniron, New Luce, in clearing away the ruins of what was called “an old kiln,”—probably one of those prehistoric structures still termed in Galloway “Picts’ kilns.” One of greenstone from Torrs, Old Luce, $4\frac{3}{4}$ inches long by $3\frac{1}{2}$ across the

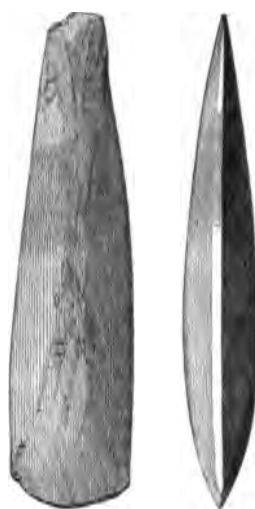


FIG. 1.—Celt. Ervie, Kirkcolm. Scale $\frac{1}{4}$.

¹ *Catalogue Soc. Ant. Scot.*, p. 15 (A 82a).

cutting edge, is evidently part of a larger celt which has been broken and made over again by being roughly chipped in the upper part. Another of granitic stone seems to have been used as a hammer-stone. In the cabinet of James M'Douall, Esq., of Logan, there is one of claystone from Torrs, Old Luce, $3\frac{1}{8}$ inches by 2 at cutting edge and $1\frac{5}{8}$ thick, the butt end of which is made over again by rough chipping. I have seen one of claystone from Damnaholly, Kirkmaiden, $6\frac{3}{4}$ by $2\frac{1}{4}$ at cutting edge by $1\frac{1}{4}$ inches, with the chip marks and longitudinal bands nearly ground out. One of claystone, from West Mains of Baldoon, Kirkinner, is $5\frac{1}{8}$ inches long, $2\frac{1}{4}$ broad at the obliquely worn cutting edge, and $1\frac{1}{8}$ thick, with several chip marks not ground out. Another, from the same farm, is of sorely weather-worn gray sandstone, 8 inches long, $1\frac{7}{8}$ broad at the cutting edge and $\frac{3}{4}$ at the butt, and $1\frac{3}{4}$ thick, concave on one face and convex on the other. Mr. M'Ilwraith, editor of the *Dumfries Courier*, and formerly of the *Stranraer Free Press*, a member of our Association, who has done much to interest his readers in our local antiquities, sends me a description of two celts. One of claystone, 9 inches by 3 at cutting edge and $1\frac{1}{2}$ at butt, and $1\frac{1}{2}$ thick, was found about fifteen years ago at High Caldons, Stoneykirk. The other, from some place in the same parish, is of hard whinstone-like rock, highly polished, 5 inches long, $2\frac{1}{2}$ broad at the cutting edge, and $\frac{3}{4}$ at the butt, which is blunt, and $1\frac{1}{2}$ thick. In the Museum there is one of claystone 7 inches long, $2\frac{3}{4}$ broad at cutting edge, and $1\frac{1}{2}$ at butt, found at Chapelheron, near Whithorn, and presented by John M'Connel junior, Esq., Chapelheron.¹

A form not common here, with the *sides rounded* instead of ground quite flat, was found near Castle Kennedy, Inch. It is in the cabinet of the Earl of Stair, and will be shown in a future volume.

In the cabinet of James M'Douall, Esq., of Logan, there is a claystone celt from Torrs, Old Luce, nearly of the same breadth at both ends, measuring $4\frac{3}{4}$ inches in length by $2\frac{1}{2}$ in breadth at the cutting edge, and $2\frac{1}{4}$ at the butt, and $1\frac{1}{4}$ in thickness. The faces slope to a rounded central ridge, some chip marks are not ground out, the cutting edge is most worn at the lower side, the upper side is flattened, and the lower rounded.

Celts with *pointed oval cross section*. In some of these the butt is sharp, in others it is blunted. Fig. 2, taken from the Museum Catalogue

¹ *Proc. Soc. Ant. Scot.*, vol. ix. p. 445.

(A 83a), is sharp at the butt end. It is of very hard dark stone, apparently greenstone, $8\frac{1}{4}$ inches long, $3\frac{1}{4}$ broad, and only $\frac{3}{4}$ of an inch thick in the middle, being remarkable for its thinness. It is flat on one face, and beautifully polished. It was found about twenty years ago in a brook in Glenjorrie, Old Luce, and was presented by me to the Museum in 1871. There is another in the Museum like it from Rattray, Perthshire. An intelligent labourer described to me a celt of similar form, and dark-coloured stone, which he found in digging a drain, but lost.

Fig. 3 represents one of this type, with the butt-end blunt, presented to the Museum, 12th March 1877, by the Right Hon. the Earl of Stair. It is thus described by Mr. Anderson:—"Polished celt of felstone found at Kirklauchline, Wigtownshire. It measures 13 inches in length, $3\frac{3}{4}$ inches



FIG. 2.—Celt. Glenjorrie,
Old Luce. Scale $\frac{1}{4}$.



FIG. 3.—Celt. Kirklauchline,
Stoneykirk. Scale $\frac{1}{4}$.

wide at one end, and $2\frac{3}{4}$ inches at the other, is oval in the cross section, and 2 inches in thickness about the middle of its length. It is flattened towards both ends, and expands slightly from the centre to the wider end. The broad end is sharpened, the butt end rounded off to a thickness of about a quarter of an inch. This type is rare in Scotland. No other specimen exactly similar in form to this one occurs in the Museum, either among the Scottish or Irish specimens. The nearest approach to it is the beautifully polished celt of yellow flint found at Gilmerton, and presented to the Museum in 1782 by Francis Kinloch, Esq., of Gilmerton. It is much smaller, however, being only $9\frac{1}{4}$ inches in length, and $2\frac{5}{8}$ inches wide at the cutting end. It differs from the Kirklauchline specimen also in having both ends sharp."¹ I may add that it was found about twenty years ago, about five feet deep, in a peat bog on Kirklauchline, by Mr. Daniel Aitken, farmer there.

¹ *Proc. Soc. Ant. Scot.*, vol. xii. p. 119, with figure.

I have now the pleasure of describing two additional specimens of this rare type. One was ploughed up on the same farm of Kirklauchline above twenty years ago, and given by Mr. Aitken to a friend, who has kindly lent it to me for description. It is $11\frac{1}{4}$ inches long, $3\frac{5}{8}$ broad at the cutting edge, $2\frac{3}{4}$ at the butt, and $1\frac{3}{4}$ thick at the centre. The butt end is rounded to $\frac{1}{4}$ of an inch in thickness, and the sides are slightly concave. There are some chip marks, but it has been well polished. The other specimen is in the cabinet of James M'Douall, Esq., of Logan. It is $11\frac{7}{8}$ inches long, 3 broad at the cutting edge, and $2\frac{1}{4}$ at the butt end, and $1\frac{3}{4}$ thick at the centre, with the butt rounded to $\frac{1}{8}$ of an inch in thickness, and the sides slightly concave. It has been polished all over, but the surface is so much softened as to yield to the finger-nail. It was found in Kirkmaiden parish.

§ 2. *Perforated Stone Axes, etc.*—In all these implements the haft-hole has been bored from both sides, and is circular. Fig. 4 shows a

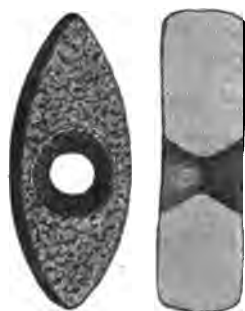


FIG. 4.—Battle-axe.
Portpatrick. Scale $\frac{1}{4}$.

double-edged axe of gray serpentinite, $4\frac{3}{4}$ inches long, $2\frac{1}{8}$ broad, and $1\frac{1}{4}$ thick at the haft-hole, $1\frac{1}{4}$ inch in diameter at the surface, and $\frac{7}{8}$ at the middle, its centre $2\frac{1}{8}$ inches from the shorter end. The faces are slightly concave lengthwise, so that the thickness is greatest at the cutting edges. They are also concave across. The angles are rounded, and the cutting edges are rather blunt. The whole surface is finely polished. This is a battle-axe, of the kind called Amazon axes by the Scandinavian archæologists. It was found many

years ago in the south part of Portpatrick parish, and lately presented to the Museum, through me, by the Rev. Andrew Urquhart, Free Church, Portpatrick.

Another is unfortunately missing, which was found many years ago in one of the old forts in Portpatrick. I cannot describe it accurately from memory, but it was like one from Crichtie, Aberdeenshire, figured in *Proc. Soc. Ant. Scot.*, vol. ii. p. 306, and copied by Evans.

Axe-Hammers.—These shade off into *hammer-axes* and *hammers*, and it is not easy to distinguish some of them. A common form in this district will be figured in a future volume. I have seen one from West Mains of Baldoon, Kirkinner, of a flat form. It is a water-worn pebble of fine gray sandstone, measuring $10\frac{3}{4}$ by $5\frac{1}{4}$ by $2\frac{1}{4}$ inches, diameter of haft-hole nearly

$1\frac{3}{4}$ inch at the surface, and 1 inch at the middle, its centre $4\frac{1}{4}$ inches from the butt-end, which is rounded. Mr. M'Ilwraith, *Dumfries Courier*, has one, ploughed up in 1875 at Low Culgroat, Stoneykirk, of hard sandstone, measuring 8 by 4 by $2\frac{1}{2}$ inches, diameter of haft-hole 2 inches at the surface and $1\frac{1}{4}$ at the middle, its centre $3\frac{1}{2}$ inches from the butt end. I hope to figure in a future volume a curious specimen, with the haft-hole *nearest the cutting edge*.

Mr. M'Douall, of Logan, has one, ploughed up at Balgown, Kirkmaiden. It is a water-worn gray sandstone pebble, measuring $8\frac{1}{2}$ by $4\frac{1}{4}$ by $3\frac{5}{8}$ inches, the diameter of haft-hole 2 inches at the surface and $1\frac{1}{4}$ at the middle, its centre 4 inches from the butt. The cutting edge is rounded, the butt end flat and somewhat circular, and the sides are flat before the haft-hole, and rounded toward the butt.

Fig. 5 represents a specimen slightly *thickened at the sides opposite the haft-hole*, where the implement was most liable to break. It was found many years ago in a field at Torhousekie, Wigtown, but not very near the famous standing-stones. It is a pebble of fine gray sandstone, measuring $9\frac{1}{2}$ by $4\frac{1}{2}$ by $2\frac{1}{2}$ inches, the diameter of haft-hole $1\frac{3}{4}$ inch at the surface, and $1\frac{1}{4}$ at the middle, its centre 3 inches from the butt. The faces are slightly concave both lengthwise and across. Lately presented to the Museum, through me, by the Rev. David C. A. Agnew, Free Church, Wigtown.

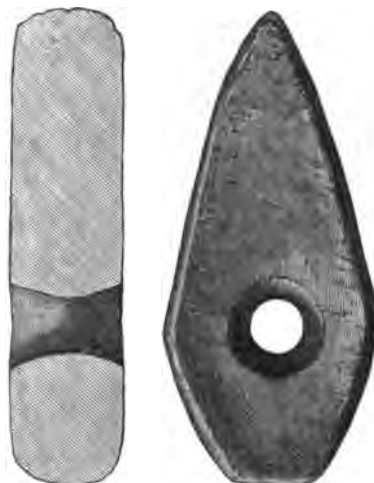


FIG. 5.—Axe-hammer, thickened at haft-hole. Torhousekie, Wigtown. Scale nearly $\frac{1}{4}$.

The following specimens are more of the *Hammer-axe* type. Sir Andrew Agnew, Bart., of Lochnaw, has one which was found close to the old Kirk of Cruggleton, Sorbie. It is of granite, measuring $10\frac{3}{4}$ by $5\frac{1}{4}$ by $3\frac{1}{8}$ inches, the diameter of the haft-hole $2\frac{1}{2}$ inches at the surface and $1\frac{1}{2}$ at the middle, its centre $3\frac{1}{4}$ inches from the butt end, which is rounded quadrangular. The sides are slightly rounded, the cutting edge is most worn towards the lower side, and *only one side is polished*. An interesting specimen from West Mains of Baldoon, Kirkinner, is *left unbored*. It is a coarse-grained gray sandstone, measuring $6\frac{1}{2}$ by $3\frac{1}{2}$ by 3 inches, much wasted on both

faces, but still retaining some of its polish on both sides. A correspondent reports another from Kirkinner, measuring $9\frac{1}{2}$ by $4\frac{1}{2}$ by $2\frac{3}{4}$ inches, the diameter of haft-hole $1\frac{7}{8}$ inch at the surface, and $1\frac{1}{8}$ at the middle, its centre 3 inches from the butt; and also one from Wigtown parish, measuring $11\frac{1}{2}$ by $5\frac{1}{4}$ by 3 inches, the diameter of haft-hole 2 inches at the surface, and $1\frac{1}{4}$ at the middle, its centre $4\frac{1}{4}$ inches from the butt end. A very rude specimen was presented to the Museum through me by the late Mr. John Kelly, farmer at North Milton, Old Luce, who found it in a field there. It is a "wedge-shaped hammer, of coarse-grained siliceous sandstone, 10 inches in length, with rounded butt, and haft-hole nearer the thick than the cutting end. The haft-hole, which is two inches in diameter, has been made from both sides, and *appears to have been picked out* and not bored; the implement is slightly unsymmetrical."¹ I have marked with italics what seems to be an interesting peculiarity of this specimen. I have a very rude one from High Clone, Mochrum. It is a coarse micaceous sandstone pebble, wedge-shaped, measuring $8\frac{1}{4}$ by 4 by 3 inches, the diameter of haft-hole $1\frac{1}{2}$ inch at the surface and 1 inch at the middle, its centre 3 inches from the butt. The hole is not bored straight, and the implement is unsymmetrical, especially on the right face. The small end is $\frac{1}{2}$ inch thick at the sharpest part, and is most worn towards the lower side.

I have heard of about a dozen more celts and axe-hammers, or hammers of which I can at present give no exact description. I have also heard of a good many which have been lost; and no doubt there are many more of which I have heard nothing at all. Mr. Garlies Mitchell, Stranraer, hopes to recover exact information about a perforated stone-axe which was got embedded deeply in the trunk of a black oak tree taken from the channel of the river Cree below Newton-Stewart, and which he saw and made notes of at the time.

It is often stated that the celts were used for cutting wood, but I am not aware that any proof of this has been given which can bear the test of rigorous scientific examination. The implements of perforated sandstone-pebble are very curious, and neither the age to which they belong nor their use has been clearly ascertained. What can so blunt an implement have been used for as that from Mochrum just described? It is better to confess our ignorance than to take things for granted.

¹ *Proc. Soc. Ant. Scot.*, vol. x. p. 45.

§ 3. *Stone Mauls*.—Fig. 6 represents an interesting specimen from the south part of Portpatrick parish, lately presented to the Museum, through me, by the Rev. Andrew Urquhart, Free Church, Portpatrick. It is a water-worn pebble of dark gray sandstone, of a symmetrical elliptoid form, flattened, a little broken on one face, and a good deal cracked and weather-worn. It measures 7 by 4 by 3 inches. The haft-hole is nearly central, smoothly bored, and the diameter is 2 inches at the surface and $1\frac{1}{2}$ at the middle. It is a grim-looking weapon.

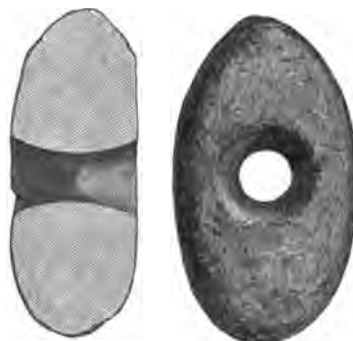


FIG. 6.—Stone Maul. Portpatrick.
Scale $\frac{1}{4}$.

§ 4. *Circular stones with central perforation*.—I sent to the Museum a gray sandstone pebble having a hole 1 inch in diameter through its centre, bored from both faces. It seems to be too large for a whorl, and it bears marks of hammering on the rounded edge. It was ploughed up at Gillespie, Old Luce.¹ I have another from High Torrs, Old Luce, of light gray sandstone pebble, measuring $2\frac{3}{4}$ inches by $2\frac{3}{8}$ by $\frac{3}{4}$, perforated $1\frac{1}{4}$ inch from the smaller end. The hole bears marks round the edges of chipping or picking previous to boring; but it is not bored straight, and is left unfinished. It looks like a spoiled implement of this class, the use of which seems doubtful. One guess is that they are ring-stones for nets.²

§ 5. *Stone Hammers, with circular hollows wrought on their faces*.—I take this title from Evans, and in Denmark they are called *tilhugersteene*, that is, hammer-stones.³ But although some of them are very handy when grasped by the hollows with the thumb and middle finger and the fore-finger resting on the top, and although some of them bear marks as if used as hammers, others do not, and their use is still obscure. I have one from Gillespie, Old Luce, which will be shown in a future volume. It is a water-worn pebble of lightish-coloured fine-grained sandstone, 4 inches long, $2\frac{3}{4}$ broad, and $1\frac{1}{2}$ thick, with a smoothly ground central depression on each face 1 inch in diameter, and nearly $\frac{1}{2}$ inch in depth. At the lower end, next the least curved side, there are marks, as if it had been used for hammering. A similar implement was found at High Mark, Leswalt, in a field. It is a

¹ Compare Evans, Fig. 157, p. 205.

² Lubbock, *Prehistoric Times*, 3d ed., p. 102.

³ Evans, p. 213 ff; Nilsson, plate i. Fig. 14.

coarse-grained water-worn pebble of gray sandstone, $3\frac{1}{2}$ inches long, $2\frac{5}{8}$ broad, and $1\frac{3}{8}$ thick, with central smoothly ground depressions $1\frac{1}{8}$ inch in diameter and about $\frac{1}{2}$ inch in depth, and has similar hammer-like marks.

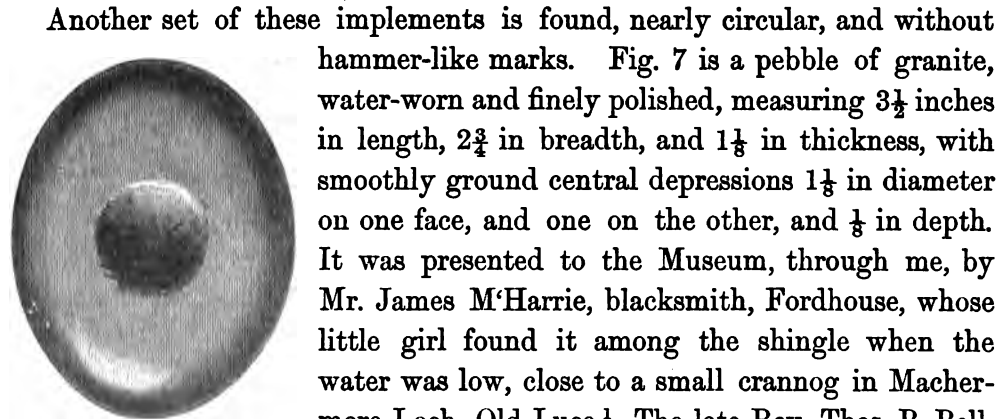


FIG. 7.—Pebble of granite with depressions worked in its flat sides. Machermore, Old Luce. Scale $\frac{1}{4}$.

Another set of these implements is found, nearly circular, and without hammer-like marks. Fig. 7 is a pebble of granite, water-worn and finely polished, measuring $3\frac{1}{2}$ inches in length, $2\frac{3}{4}$ in breadth, and $1\frac{1}{8}$ in thickness, with smoothly ground central depressions $1\frac{1}{8}$ in diameter on one face, and one on the other, and $\frac{1}{8}$ in depth. It was presented to the Museum, through me, by Mr. James M'Harrie, blacksmith, Fordhouse, whose little girl found it among the shingle when the water was low, close to a small crannog in Machermore Loch, Old Luce.¹ The late Rev. Thos. B. Bell, Free Church, Leswalt, presented to the Museum a lenticular rough-grained pebble of gray sandstone, found on the moor of Galdenoch, Leswalt, 3 inches in diameter and $1\frac{1}{4}$ in thickness, with cup-like central hollows on each face, $1\frac{1}{2}$ inch in diameter and $\frac{1}{2}$ in depth.² I have one very like it, only smaller, which will be figured in a future volume, measuring $2\frac{1}{2}$ inches by $2\frac{1}{4}$ by $\frac{7}{8}$, the depressions central, smoothly wrought, $1\frac{1}{4}$ inch in diameter and $\frac{1}{4}$ inch in depth. It was found in 1877, in a ploughed field, at Gillespie, Old Luce. These circular forms are perhaps a distinct class of implements. In describing this whole class of implements with circular depressions, Evans says that they are not uncommon in Ireland, and rare in France. They are very rare in Scotland. In the Museum in Edinburgh there were only three specimens before that from Machermore. It is thus of great interest from its rarity, as well as the fineness of its polish and the locality where it was found. I have now great pleasure in describing three additional specimens. Of eight known in Scotland this district has yielded five, of which three are from Old Luce and two from Leswalt. Their comparative abundance here may possibly have some ethnographic significance.

§ 6. *Whetstones*.—John Douglas, Esq., M.D., Whithorn, has a very neatly formed one about five inches long, much like a modern one in shape.

¹ *Proc. Soc. Ant. Scot.*, vol. xi. p. 583.

² *Proc. Soc. Ant. Scot.*, vol. iv. p. 440 ; quoted by Evans, p. 215.

which may belong to the bronze, or even to the iron age. It was got in Dowalton Loch many years ago by a farmer, who had often seen it lying at the bottom, and at last fished it up by the reel on the butt of his fishing-rod. Probably it belonged to the lake-dwellers.

§ 7. *Burnishers*.—Fig. 8 represents one got in a drain at Bine, Kirkcolm, by Mr. M'Micking, farmer at Knockneen in that parish, and presented to the Museum by the Earl of Stair. "It is of reddish quartz, $2\frac{1}{2}$ inches long, and $\frac{5}{8}$ inch across each of its sides in the centre. This also is a rare form of stone implement, there being only one specimen of similar form in the Museum. It is also of reddish quartz, and is somewhat smaller than the Wigtownshire specimen."¹ It will be described and figured in a future volume among the stone implements from Ayrshire. The age of these implements seems doubtful, but they appear to be burnishers or whetstones.



FIG. 8.—Burnisher or Whetstone? Bine, Kirkcolm.
Scale $\frac{1}{4}$.

I am not able to report the occurrence of *sinkstones* or *loomstones*. *Spindle-whorls* are common. Many, no doubt, are quite modern, but others are more ancient. In a future paper I hope to give illustrations of some of the ornamental forms. *Querns* may be treated in the same way. I have picked up on the sandhills several very coarsely made *beads* of a sort of lignite or anthracite. *Bangles* of the same material are found, which have been neatly made and polished, but are all broken.

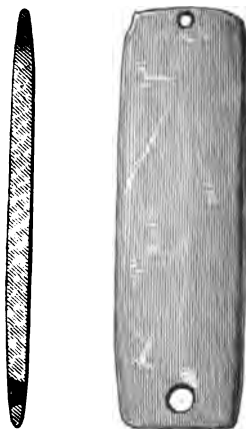


FIG. 9.—Stone Bracer.
Torrs, Old Luce.
Full size.

§ 8. *Stone Bracers*.—Fig. 9 represents the only one found in this district. It is of fine-grained sandstone, water-worn, flat on one face, slightly convex on the other, measures $2\frac{1}{4}$ inches in length, $\frac{5}{8}$ of an inch in breadth, and $\frac{1}{8}$ in thickness, and is pierced near each end with a bored hole about $\frac{1}{2}$ of an inch in diameter, and countersunk on the flat side of the implement. It is supposed to have been used to protect the archer's wrist from the recoil of the bowstring. This specimen was found at Mid Torrs, Old Luce, by Mr. M'Murtrie, farmer there, and presented to the Museum by him through me.

¹ *Proc. Soc. Ant. Scot.*, vol. xii. p. 120, Fig. 1.

3. IMPLEMENTS OF FLINT.

I have already explained that these probably belong both to the stone and the bronze age, but that it is impossible to decide the relative antiquity of any of them. Evans fully describes in the second chapter of his great work how flints are split, flaked, and chipped. In general I shall follow his arrangement.

§ 1. *Cores*, that is, pieces of flint which show where the flakes have been regularly struck off, are scarce here, perhaps owing to the small size of the original nodules.

§ 2. *Flakes* are numerous, and some of them have been used as implements. I have a small curved and ridged flake of dull black flint, broken at the end, which has one edge blunted as if by use. Some have been used as knives, others are notched along the edge as saws.

§ 3. *Flake-Knives*.—I have picked up a good many, all of them single-edged. One in my cabinet measures $1\frac{1}{2}$ inch along the edge, $\frac{5}{8}$ in breadth, and $\frac{1}{8}$ in thickness at the back. Others are larger and stronger. About ten are in the Museum.

§ 4. *Flake-Saws*.—Some of these are coarsely and irregularly serrated.



FIG. 10.—Flake-Saw.
Torr, Old Luce.
Full size.



FIG. 11.—Flake-Saw.
Torr, Old Luce.
Full size.

Fig. 10 represents one of these, of brown flint, $1\frac{1}{2}$ of an inch long, and nearly $\frac{3}{4}$ broad.¹ Fig. 11 represents an irregularly-shaped flake $1\frac{3}{4}$ inch long, $1\frac{1}{4}$ broad, and pretty thick, with an edge finely serrated for a length of $1\frac{1}{2}$ inch. The "bulb of percussion," where the blow fell by which the flake was struck off, is well shown at the base of the cutting edge. A dozen of these are in the Museum.

§ 5. *Scrapers*.—These implements show more or less secondary working on the ends or sides. They are numerous, and of various forms, adapted to various uses. Some were probably used in trimming wood, horn, or bone, others in dressing the skins of animals. I have picked up about 400, most of which are in the Museum. Few are above $1\frac{1}{2}$ inch in length.

A round-nosed scraper of gray flint is shown in Fig. 12. It is one of

¹ *Proc. Soc. Ant. Scot.*, vol. xi. p. 584.

the largest I have found, being 3 inches long, nearly $1\frac{1}{2}$ inch broad, and $\frac{1}{4}$ inch thick. Fig. 13 is another, nearly $2\frac{1}{2}$ inches long, $1\frac{1}{2}$ broad, and $\frac{1}{4}$ thick ; much worn by use.



FIG. 12.—Round-nosed Scraper.
Torrs, Old Luce. Scale $\frac{1}{4}$.

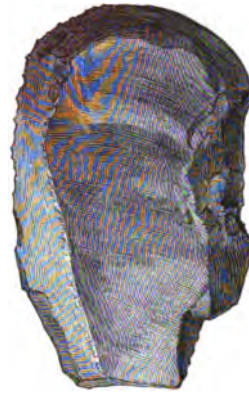


FIG. 13.—Round-nosed Scraper.
Torrs, Old Luce. Scale $\frac{1}{4}$.

The *horse-shoe* type is not infrequent, both in the short and the elongated forms. I think many of these have been of the duck-bill form at first, and have been broken across. A very pretty specimen in my cabinet was picked up on the Moor of Mark, in the parish of Inch. It is about an inch and a half long, an inch broad, and very thin and sharp. The *discoidal* form, in which the scraper is almost circular, is very common, some specimens being no broader than a threepenny piece. Some are *circular*, and chipped all round the edge, and these also are in some instances very small. It is difficult to imagine in what way, or for what purpose, such minute scrapers can have been used.

The *duck-bill* form is common. One in my cabinet (Fig. 14), of clear white flint, is scarcely $\frac{3}{4}$ of an inch long by $\frac{1}{4}$ broad, and $\frac{1}{8}$ thick, trimmed both on the end and sides. I do not recollect having seen the *spoon-shaped* type. *Oyster-shell* and *ear-shaped* scrapers are found in Old Luce. These types will be found figured in a paper in this volume on antiquities from Dalry, Ayrshire. Of course these typical forms shade off into each other in endless variety.

Spokeshave scrapers are found. Fig. 15 represents one 2 inches long and about $\frac{1}{4}$ inch broad and thick. One in my cabinet, much worn by use, is of yellow flint, with part of the natural



FIG. 14.—Duck-bill Scraper.
Torrs, Old Luce.
Full size.

surface left, and measures 2 inches by $1\frac{1}{8}$ by $\frac{1}{4}$. The hollow of the concave side is $\frac{1}{8}$ of an inch deep. Mr. Anderson has described how he made a piece of wood into an arrow-shaft with flint tools, using some curved flints as spokeshaves.¹

Fig. 16 represents a scraper tapering a little toward one end, and



FIG. 15.—Spokeshave Scraper.
Torrs, Old Luce. Full size.



FIG. 16.—Pointed Scraper.
Torrs, Old Luce. Full size.



FIG. 17.—Pointed Scraper.
Torrs, Old Luce. Full size.

trimmed all round, measuring nearly $1\frac{3}{4}$ inch by $\frac{3}{4}$ by $\frac{3}{8}$. Fig. 17, of the same type, measures $1\frac{3}{4}$ inch by $\frac{3}{4}$ by $\frac{1}{4}$ inch.

Two scrapers in the Museum are much worn by use. One is made from a ridged flake of brown flint, *square-ended*, and much worn both in front and sides. The other of ridged flake, $2\frac{1}{2}$ inches by $1\frac{1}{2}$, tapering towards the butt end, is very much worn by use.



FIG. 18.
Scrapers ?



FIG. 19.
Torrs, Old Luce.
Full size.

I may perhaps describe as *slender* scrapers a very peculiar type of implement which I have not seen mentioned in any book. Fig. 18 measures $1\frac{1}{2}$ inch in length, and $\frac{1}{8}$ of an inch in breadth and thickness, and is trimmed along one side. Fig. 19 is $1\frac{1}{4}$ inch long, $\frac{3}{16}$ of an inch broad, and $\frac{1}{8}$ thick, and is more pointed. Both are of clear white flint. There are four of these peculiar implements in the Museum, and Mr. Gilchrist Clark has one.

§ 6. *Borers*.—Fig. 20 shows one of these of black flint, which is $2\frac{3}{8}$ inches long, 1 broad, and $\frac{3}{8}$ thick. Fig. 21, of gray flint, is $2\frac{1}{4}$ inches

¹ *Proc. Soc. Ant. Scot.*, vol. xi. pp. 511-513.

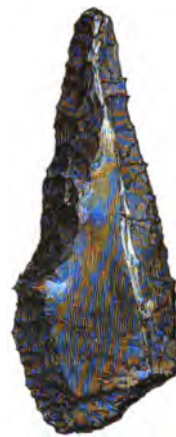
long, $\frac{7}{8}$ broad, and $\frac{3}{8}$ thick. Another of gray flint is imperfect. I gave Mr. M'Douall of Logan another of brown flint, $1\frac{1}{2}$ inch long and $\frac{3}{4}$ wide.



FIG. 20.—Borer? Torrs, Old Luce. Full size.



FIG. 21.—Borer? Torrs, Old Luce. Full size.



§ 7. *Drills*.—Fig. 22 shows the only one I have found. Its true character was discovered by Mr. Anderson when arranging my collection for the Museum. It measures $1\frac{1}{2}$ inch in length, $\frac{7}{8}$ of an inch in breadth, and $\frac{1}{2}$ inch in thickness. It is similar to those from the French caves for drilling the eyes of bone needles, and gives a fresh glimpse of the habits of the makers of these flint implements.



FIG. 23.
Trimmed Flake.
Mid Torrs, Old
Luce. Full size.

§ 8. *Trimmed Flakes*.—Fig. 23 represents a very beautifully-wrought implement of clear yellowish flint, with one side flat and the other rounded, and finely wrought all over, and smoothed as if by use. It is $2\frac{1}{4}$ inches long, nearly $\frac{1}{2}$ broad, and $\frac{1}{4}$ thick; has a doubly-curved outline, and tapers to both ends. Near it I found a fine saw, but it does not seem to belong to that class of implements. Neither is it like the implements figured by Evans as flakes, and I cannot guess its use.



FIG. 22.—Drill.
Torrs, Old Luce.
Full size.

§ 9. *Trimmed knives* differ from the simple flake-knives in having secondary chipping wrought along their edges and faces. I have two coarsely-wrought specimens, about $2\frac{3}{4}$ inches long; and I sent

ten to the Museum, of various forms, all of them neatly, and some very finely wrought. One, of clear white flint about 2 inches long



FIG. 24.—Trimmed Knife.
Torrs, Old Luce. Full size.



FIG. 25.—Trimmed knife, two-edged.
Torrs, Old Luce. Full size.

and not $\frac{1}{2}$ inch broad, has two rows of neat secondary working along the edge, on one flat side. Fig. 24 represents a knife trimmed to one cutting edge, which is $2\frac{3}{4}$ inches long, $\frac{7}{8}$ broad, and $\frac{1}{2}$ thick. Fig. 25 represents

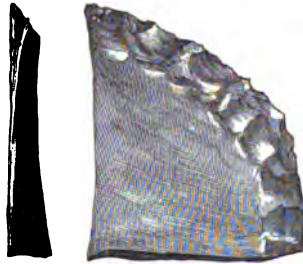


FIG. 26.—Trimmed Knife.
Torrs, Old Luce. Full size.



FIG. 27.—Trimmed Knife.
Kereluig, Old Luce. Full size.



FIG. 28.—Trimmed Knife?
Torrs, Old Luce. Full size.

a flat double-edged knife, trimmed on both edges and point, 2 inches long, 1 broad, and $\frac{1}{3}$ thick, and broken across at the broad end. One edge curves regularly to the point, the other is slightly concave behind the point. Mr. M'Douall of Logan has one from Torrs, Old Luce, broken off at one end, which measures $2\frac{1}{2}$ inches in length, $\frac{3}{4}$ in breadth, and $\frac{3}{16}$ in thickness. Fig. 26 represents a flint, broken along two sides into

the form of a quadrant, with the arc neatly trimmed. It measures $1\frac{1}{4}$ inch along each straight side, and is $\frac{1}{4}$ inch thick. The original shape cannot now be determined, but it has been larger. Fig. 27 represents a very pretty little knife which I picked up near the mouth of the Piltanton burn, at a place now called Corrylinn, but, in Timothy Pont's map, Kereluing. It is of clear white flint, $1\frac{3}{8}$ inch long, $\frac{5}{8}$ broad, and $\frac{1}{4}$ thick, and is trimmed along the curved edge, having been formed with comparatively little chipping. Implements so small must have been carried in some sort of pocket.

Fig. 28 represents a flat *quadrangular* flint, with the corners rounded off, and neatly trimmed all round the edge, measuring $1\frac{1}{8}$ inch in length, $\frac{7}{8}$ in breadth, and $\frac{3}{8}$ in thickness. I found two of this type. Evans figures one as a knife.

§ 10. *Trimmed Saws*.—The flake saws already described are simply serrated with notches along the thin edge. Those now to be described are trimmed to a regular form, and are a very interesting set of implements. There are four or five in the Museum. Some are *serrated on one edge* and others on *both edges*. Some are flat and others are triangular in cross section. Three of those in the Museum are single edged. Those with the triangular section are very finely wrought. Fig. 29 represents one of these nearly $2\frac{1}{4}$ inches long, $\frac{3}{8}$ broad, and $\frac{1}{4}$ thick, serrated on one edge, which is slightly concave in outline, and has 28 teeth in a length of $1\frac{1}{2}$ inch, or 18 to an inch. I have another, of grayish opaque flint, broken off at both ends, $1\frac{1}{4}$ inch long, $\frac{3}{8}$ broad, and $\frac{1}{4}$ thick, serrated on both edges with about 22 teeth to an inch, those on the right edge pointing in one direction, and those on the left in another. Both edges as well as the flat side are curved. These saws may have been used in working bone as well as wood.



FIG. 29.
Trimmed Saw.
Mid Torrs, Old
Luce. Full size.

§ 11. *Rough oval Flints*.—There are some roughly chipped flints, ovate, circular, or oblong, which may perhaps represent a preliminary stage in the manufacture of arrow or spear heads.

4. ARROW-HEADS.

These have been found in considerable numbers and of various forms, and many of the specimens are beautifully finished.

§ 1. *Leaf-shaped Arrow-heads*.—These are more easily made than the barbed forms, and are common. In this class I shall include some which are often placed among the lozenge-shaped. Some specimens have one face slightly concave lengthwise, owing to the conchoidal fracture of the flake when struck off at first. Some are thick and rough, others very finely wrought, and there are several varieties.

First : *Ovate*, or egg-shaped, the small end being wrought to a point, and the base regularly curved. I take the liberty of taking this term from the nomenclature of botanists, because it exactly describes the simplest form of leaf arrow-head. Some have the point very indistinctly formed. One in my cabinet is $1\frac{1}{8}$ inch long, $\frac{7}{8}$ broad, and $\frac{1}{8}$ thick ; another, which is very roughly chipped, is $1\frac{1}{4}$ inch long, 1 broad, and $\frac{3}{8}$ thick. Others are more sharply pointed. In my cabinet there is a rough one which is $1\frac{1}{4}$ inch long, and rather more than 1 inch broad ; and a very neat one which is $1\frac{3}{8}$ long, $\frac{3}{4}$ broad, and about 1 line thick. Mr. Gilchrist Clark has one of almost exactly the same size. Sometimes the sides have a slightly concave outline between the broadest part and the point.

Second : *Kite-shaped*, the sides running in a straight line from the point to the ends of the arc at the broad base as in a paper kite. I have one with the point broken off, which is $1\frac{1}{2}$ inch long and $\frac{3}{4}$ broad. This is a transition form between the first and third, and also between the leaf and the lozenge type.

Third : *Elliptical*, the length being a little greater than the breadth, and both ends being pointed. A very symmetrical one in the Museum is broadest exactly at the middle, and very thin and transparent, and I have another broken at the point. Mr. Gilchrist Clark has one of an elongated form, 2 inches long, and $\frac{3}{4}$ of an inch broad, broken off at the blunter end. Fig. 30 is a beautifully wrought one, with the broadest part a little towards the base, $1\frac{7}{8}$ inch long, 1 broad, and $\frac{1}{8}$ thick in the middle, and one face slightly concave. Fig. 31 is a small one in my cabinet, $\frac{7}{8}$ of an

inch long and nearly $\frac{5}{8}$ broad, in which the flint is whitened by age. I have also an elongated form in my cabinet, Fig. 32, which is nearly $1\frac{1}{2}$



FIG. 30.—Leaf Arrow. Knockscrob, Torra, Old Luce. Full size.



FIG. 31.—Leaf Arrow. Torra, Old Luce. Full size.



FIG. 32.—Leaf Arrow. Torra, Old Luce. Full size.

inch long, $\frac{1}{2}$ broad, and $\frac{1}{8}$ thick, with the sides somewhat concave between the broadest part and the point.

§ 2. *Lozenge-shaped* Arrow-heads, with four straight sides meeting in angles, which in some specimens are exact, and in others more or less rounded or blunt, and the four sides nearly equal. Fig. 33 measures almost 1 inch in length, $\frac{7}{8}$ in breadth, and $\frac{1}{8}$ in thickness. Fig. 34 is $1\frac{5}{8}$ long, $1\frac{3}{8}$ broad, and $\frac{1}{8}$ thick. I have one, broken at the point, with the angles very distinct, but the sides not quite symmetrical. Mr. Gilchrist Clark has a very pretty one, which is 1 inch long, $\frac{3}{4}$ of an inch broad, and $\frac{3}{4}$ in length on each side, from the broadest part to the point, and $\frac{1}{2}$ inch on each side to the base.

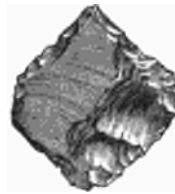


FIG. 33.
Lozenge Arrows.

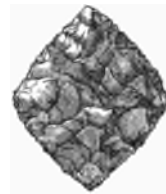


FIG. 34.
Torra, Old Luce. Full size.

§ 3. *Lanceolate* Arrow-heads.—Mr. M'Douall of Logan has one in which the base is formed into a shaft-stem, running out with a slight curve to the broadest part. It is $1\frac{1}{4}$ inch long, $\frac{5}{8}$ broad, and $\frac{3}{8}$ thick, somewhat rudely formed, and white with age, and is the only specimen of this type I have seen.

§ 4. *Triangular* Arrow-heads.—There are none of the cuneate or chisel-ended form. Fig. 35 represents one with the base straight, $1\frac{1}{8}$ inch long,

$1\frac{1}{8}$ broad, and $\frac{1}{8}$ thick, of black flint. In some specimens the *waved base*



FIG. 35.—Triangular Arrow.
High Torra, Old Luce.
Full size.



FIG. 36.—Unequally
barbed Arrow. Mid
Torra, Old Luce.
Full size.



FIG. 37.
Arrows without shaft-stems.
Torra, Old Luce. Full size.



FIG. 38.

shows the transition to the form with a shaft-stem and barbs. One of this type, from Ayrshire, will be found figured on page 57 of this volume.

§ 5. *Barbed* arrow-heads.—There are many varieties of these. First: *Without shaft-stem*—a transition from the triangular type. Some are found with a *concave base*. Fig. 36 represents one which is $1\frac{1}{2}$ inch long, $\frac{7}{8}$ broad, and $\frac{1}{8}$ thick; another transition form to the barbed arrow-heads, being unequally barbed.

Fig. 37 represents a *broad* form, from the cabinet of Mr. Gilchrist Clark.¹ It is $1\frac{1}{8}$ inch long, and $\frac{7}{8}$ broad, with the barbs cut off a quarter of an inch broad. Fig. 38 represents a very pretty specimen, broken at the point. It is of whitish flint, finely wrought, $1\frac{7}{8}$ inch long, and $\frac{5}{8}$ broad, with the barbs cut off square an eighth of an inch broad.

Second: *Single* or *unequally* barbed arrow-heads. See Fig. 36.



FIG. 39.—Alate
Arrow-head.
Whitecrook,
Old Luce.

Third: A type with short shaft-stem and expanded barbs is shown in Fig. 39, which may be described as *alate* or *winged*. This specimen measures rather more than $\frac{1}{2}$ inch in length, and $1\frac{1}{8}$ in breadth. There are narrower forms, with short stems.

Fourth: Mr. M'Douall of Logan has a *hastate* form, with a large stem

¹ This cut, with two others, is presented to the Association by J. Gilchrist Clark, Esq., of

Speddoch, who has also kindly sent me photographs of twelve arrow-heads.

widening from the base, and the barbs cut straight across and running out to a point, from which the sides are carried in a concave line to the tip. This type is rare in Scotland.

Fifth : With *large shaft-stem and small barbs* (Fig. 40). This specimen is thick in the middle and strongly made. It measures $1\frac{1}{2}$ inch in length, nearly $\frac{3}{4}$ of an inch in breadth, and has the stem broadest at the base.



FIG. 40.—Broad-stemmed Arrow. Torrs, Old Luce. Full size.



FIG. 41.—Barbed Arrow. Torrs, Old Luce. Full size.

Sixth : With the *barbs curved inward* (Fig. 41). This specimen is rather more than $1\frac{1}{4}$ inch long and $\frac{3}{4}$ broad, with the stem cut nearly straight across. Mr. M'Douall of Logan has a very good specimen, with the sides a good deal more curved inwards to the tip of the barbs, and the shaft-stem rounded. It is $1\frac{2}{8}$ inch long, $\frac{1}{8}$ broad, and $\frac{1}{4}$ thick.



FIG. 42.—Barbed Arrow. Torrs, Old Luce. Full size.

Seventh : With *barbs and stem cut straight across*. Mr. Gilchrist Clark presents Fig. 42, representing a very pretty specimen of this type in his cabinet, which is nearly 1 inch long, and $\frac{7}{8}$ of an inch broad, with the sides slightly convex.

Eighth : A variety occurs with the *sides concave*, and hollowed out at the base between the stem and barbs.

Ninth : Another variety has *straight sides and pointed barbs*.

Tenth : Mr. Gilchrist Clark presents an engraving (Fig. 43) of a very beautiful specimen in his cabinet with *finely serrated sides*, which measures rather more than $1\frac{1}{2}$ inch in length, and $\frac{7}{8}$ of an inch in breadth.



FIG. 43.—Barbed Arrow, finely serrated. Torrs, Old Luce. Full size.

I have seen 125 arrow-heads which have been found in Glenluce. A farmer gave the late Colonel M'Douall of Logan about 25 barbed ones, which are missing at present ; and about twenty years ago a young ploughman found in a hole in the sand about 20 barbed ones, which he took to America. Of these arrow-heads about 90 were barbed, 70 leaf and lozenge shaped, and 5 triangular. A barbed arrow-head was picked up a few years ago in a field near the Abbey of Luce, and several were got, along with a large quantity of

chips, about $3\frac{1}{2}$ feet below the surface in draining a spring at Knockneen, Kirkcolm.



FIG. 44.—Javelin-head.
Machermore, Old Luce.
Scale $\frac{1}{4}$.

Javelin or Spear heads.—Fig. 44 represents a specimen found on the shore of Machermore Loch, Old Luce, close to some lake-dwellings. It is 3 inches long and $1\frac{1}{2}$ inch broad, the point is broken off, and the surface has the dendritic markings sometimes caused by long exposure to the atmosphere. I presented it to the Museum. An old man in Kirkmaiden told me that many years ago he found on the old beach at West Tarbet, beside the old fortifications, an elf-shot of black flint, about 5 inches long. It was probably a spear or javelin head.

My introductory remarks, and many of the details given in these Notes, show why I have not used the words *stone age* in the title of this paper. I have no doubt that there was first a stone and then a bronze age in Scotland, and that some of the implements I have described belong to the stone age; but the circumstances in which they have been found furnish no sure criterion of their relative antiquity. Mr. Anderson has made a remark which ought to be remembered: "In fact we have very little in Scotland that can be relegated, on strict scientific principles, to the stone age, as that is usually defined, viz. to the time when the people of this country were wholly ignorant of metals."¹ Perhaps this district may yet furnish additions to the scanty stock of ascertained relics of the Stone Age.

F. C. MANSE, GLENLUCE.

GEORGE WILSON.

¹ *Proc. Soc. Ant. Scot.*, vol. xi. p. 509.

II.

NOTICES OF ANCIENT URNS FOUND IN THE CAIRNS AND BARROWS OF AYRSHIRE.

It is scarcely necessary to remind the archæologist that to the graves of the early races of Britain we owe the greater part of the knowledge we possess of these races, as well as of the arts of war and peace as practised among them. In various parts of the country, more especially of Scotland, underground dwellings, long uninhabited, that from their situation have escaped the ravages of time and the improving hands of succeeding generations, are occasionally brought to light; here and there, also, menhirs, cromlechs, and stone circles of unknown antiquity, excite wonder at their size, or curiosity as to the tribes by whom, and the purpose for which, they were set up; and on many of our hill-tops are to be seen the remains of the rude strongholds in which a primitive people sought to make themselves secure against marauding neighbours or foreign foes. But the information regarding the men who reared these dwellings, monuments, and forts, to be gathered from an inspection of their handiwork, is far less in extent and value than what may be got from a careful examination of their final resting-places.

Man of every clime, and in almost every stage of civilisation, seeks to honour the memory of the mighty and the lamented dead by distinguishing in some way the spot chosen as their last earthly home. In addition, however, to this instinctive feeling, of which the manifestations are widely varied in design and construction, according to the circumstances of different peoples and countries, motives, the origin of which can now be discerned but obscurely, have sometimes led to weapons of war, personal ornaments, and vessels of clay of different shapes and sizes, being laid in the graves of

those who may perhaps have worn or used them when alive. Thus, an examination of sepulchral barrows and cairns shows that the warrior chief had often been interred with his axe-hammer of stone and knife-dagger of flint or of bronze placed in his hand, and that females of distinction, as in some such cases they may well be supposed to have been, had been decked out after death with their ornaments of polished jet; while not seldom "urns," to use the common, though not in every sense appropriate, designation—some accompanied with burnt bones, others empty—have been discovered when ancient grave-mounds were accidentally or intentionally disturbed.

It is to these "urns" that the present paper, which will probably be afterwards followed by one or more on Ayrshire deposits of this class, should materials be provided, specially refers; and its object is to give notices of such as have been found within the limits of the county, and, when possible, an account of the circumstances under which they were discovered. The list is not put forth as by any means complete. Since it was drawn up the existence of other specimens has been made known to the writer, the description of which must now be deferred till a future occasion. But it is hoped the beginning is made of what will be an exhaustive account of these curious memorials of past times. It may be expected also that a greater interest regarding them will be in this way excited among those who have it in their power to increase our knowledge by careful explorations in localities where they are likely to occur, or by their preservation when brought to light, as they often are, by the operations of the agriculturist. And by way of introduction, as well as of affording some guide to local explorers, it seems desirable to prefix a short account of the tumuli beneath or in which deposits of the kind are generally found, of the modes in which the bodies of the ancient dead have been disposed of, and of the classes into which sepulchral "urns" have been divided by archæologists.

Grave-mounds are designated barrows or cairns, according as they are composed of earth or of stone, both being sometimes included under the former term. Local circumstances alone appear to have determined the materials employed in raising them. On the Yorkshire wolds and the Wiltshire plains they are, as might be expected, commonly made of earth, while in our own part of the country gravel or stones have been frequently

employed. Within or below them bodies were deposited either by inhumation, or after being reduced to ashes by fire. Which of these methods was first practised in Britain cannot as yet be positively determined. We may, indeed, suppose that burial would suggest itself to a primitive people as the most natural way of disposing of their dead, and that cremation was a refinement of a later age, adopted to prevent dishonour being done to the remains of the departed by barbarous foes or ravenous beasts,¹ or from some vague notions of the purifying influences of fire. It so far accords with this supposition that in the long-shaped barrows, usually regarded as the oldest, cremation is the exception.² There are, however, instances of it; while in the more numerous round-shaped mounds both methods would seem to have been employed contemporaneously.³ When the body was burned, the ashes were collected, and frequently placed in an earthenware jar or urn; but it must be borne in mind that in a large, indeed the larger, number of such interments no urn is found, nor is there any reason to believe one had been used. The unburnt body, as a rule, was laid on its side in a contracted state, with the head leaning forward and the knees drawn up, probably the position in which, in an age that the sick had but little external protection against cold, natural warmth was best fostered, and in which, therefore, it had been left when life had departed.⁴ Vessels, likewise called "urns," sometimes lie beside such bodies. The mounds are often found occurring in groups; and in many of the larger ones there have been interments at an earlier and a later period, distinguished respectively as primary and secondary. Attempts, more or less successful, have been made by different writers to classify barrows according to their shape.⁵ Founding on this, Sir R. C. Hoare distinguishes as many as eleven varieties. But it is sufficient for our present purpose to regard them as circular and long. The ordinary circular barrow or cairn is perfectly simple in its structure. It has been at first raised above remains placed either on the ground or in a grave more or less sunk beneath the natural surface, sometimes without any protection

¹ Sir R. C. Hoare, *Ancient Wiltshire*, pp. 23, 24. (*Ancient Wiltshire*, p. 24) quotes Genesis, chap.

² Thurnam, *Archæologia*, xlii. p. 191. xlix. 33.

³ Greenwell and Rolleston, *British Barrows*, p.

19.

⁴ Evans, *Ancient Stone Implements of Great Britain*, p. 135; Greenwell, *British Barrows*, p. 24. In this connection, Sir R. C. Hoare

⁵ Sir Richard C. Hoare, *Ancient Wiltshire*, vol. i. pp. 19-22; Wilson, *Prehistoric Annals of Scotland* (1st ed.), p. 44; Thurnam, *Archæologia*, xlii. p. 168, and xliii. p. 290.

whatever, but often, in Scotland at least, surrounded and covered by stone slabs, called a kistvaen, or cist. The dimensions of this latter receptacle vary greatly, irrespective of whether burial has taken place by inhumation or after cremation. The long barrow or cairn, which, as some think, is the older form of the two, is characterised by its greater length in proportion to its breadth; its direction, which generally runs from east to west; the greater elevation of the eastern end; and its frequently, though by no means always, containing a chamber or chambers, to which a passage leads from or near the exterior.¹ In some chambered cairns, however, apparently of the same age as the long barrows, the shape is oval or circular. As the long barrows, though scattered over the length and breadth of the island, are comparatively rare, we are prepared to find that but few of them occur in Ayrshire. Indeed, there seems to be only one that at present can with any degree of propriety be pointed out as representative of the class—that on Cuff Hill, Beith; and it differs so much from all the others of which we have any trustworthy account, that it cannot be taken as a typical example.² No systematic exploration of Ayrshire cairns has ever been made, as has been the case with those of Caithness and the barrows of Wiltshire, Yorkshire, Derbyshire, Dorset, Cornwall,³ and other parts of England. In these circumstances there is little cause for wonder that our knowledge of their contents is fragmentary. Even when they have been opened, the records we have of the excavations are in most cases defective.

A long series of years must have run their course during the period when these mounds were being raised, of the exact commencement or termination of which nothing definite can be said. A general conclusion may, however, be drawn from the fact⁴ that while weapons and articles of stone and of bronze have been met with in them in considerable abundance, the latter being more plentiful in the south than in the north, those of iron are extremely rare. This

¹ Anderson, *Proc. Soc. of Ant. of Scot.*, vol. vii. p. 481; Thurnam, *Archæologia*, xlii. pp. 169-243.

² See "Notices of the Several Openings of a Cairn on Cuff Hill, etc., by Robert Love, Esq., F.S.A. Scot." *Proc. Soc. of Ant. of Scot.*, vol. xi. p. 272.

³ See Anderson, *Proc. Soc. of Ant. of Scot.*, vol.

vi. p. 442, and vol. vii. p. 480; Sir R. C. Hoare, *Ancient Wiltshire*; Greenwell, *British Barrows*; Bateman, *Ten Years' Diggings*; Warne, *Celtic Tumuli of Dorset*; Borlase, *Nenia Cornubia*.

⁴ Thurnam, *Archæologia*, xlii. pp. 401-487; Greenwell, *British Barrows*, pp. 130-132.

circumstance seems to fix the age of even the less ancient of them, in the more settled parts of the country at least, to a period previous to the Roman invasion of our island, by which time it is believed iron had come into general use. But some of them may be later, while, no doubt, many date from a period long antecedent. Even the names of the race or races that lie beneath them cannot be given with certainty. It is often assumed that they were all Celts, but there is no direct evidence in support of this conclusion. On the other hand, a continental archæologist is of opinion that weapons of stone are those of a people who had inhabited Western Europe previous to the arrival of the Celts, and to whom bronze was unknown. "It is," says he, "scarcely a hasty conclusion that the Iberians were the *stone-using* people, who were overcome by the Celtic *bronze-using* hordes, and that the former were either extirpated by or became fused with the latter. It is highly probable that the Iberians were the original inhabitants of Ireland, and of several parts of Britain, and were there the stone-using people, of whom there are so many traces."¹

As has been stated above, "urns" are among the articles most frequently found in ancient grave-mounds, and are the earliest specimens we possess of the art and skill of the native potter. They accompany both burnt and unburnt bones. In shape, size, and ornamentation they differ greatly, as well as in the quality of the clay of which they are formed, and the degree of heat to which it has been exposed. Their colour ranges from a light red to a brownish or dirty yellow. At one time it was thought they were merely sun-dried, but a closer examination proves that they have undergone to a greater or less extent the action of fire, though, as is shown when they are fractured, the firing has been in most cases very imperfect. The style of ornamentation applied to them consists chiefly of straight lines, but is wonderfully diversified. "The patterns," to use the words of one of our most recent and most careful observers, "have been made by a sharp-pointed instrument drawn over the moist clay, by stamping with a narrow piece of bone or hard wood, cut into alternate raised and sunk squares, or simply

¹ Professor Keyser, quoted by Thurnam, *Crania Britannica*, vol. i. p. 55. Fuller information, however, than we at present possess may yet enable archæologists to solve these and similar questions with some degree of accuracy. Mean-

time, interesting observations, founded chiefly on craniological data regarding the races that lie buried under the long and the round barrows respectively, will be found in *British Barrows*, pp. 121-130.

notched ; by rows of dotted markings, round, oval, and triangular, of greater or less size ; by the impression of the finger nails ; and most commonly by impressions of a twisted thong, generally made of a strip of hide, but certainly, in many cases, of string manufactured out of some vegetable fibre, and consisting in some cases of two, if not three, plaits. Curved lines and circular markings, though they occur now and then, are uncommon, the pattern being generally made up of straight lines arranged in cross, zigzag, chevron, saltire, reticulated, and herring-bone fashion."¹

"Urns" are generally arranged by writers on the subject in four classes—named from the purposes for which some archæologists suppose them to have been employed in connection with ancient interments. These are cinerary urns, "incense cups," "food vessels," and "drinking cups."² In one, if not more of these classes, the designation is unfortunate, there being no certainty whatever that the vessel had been used as assumed. These names, however, have all become so associated with the objects to which they are generally applied, that it is necessary to retain them here.

1. *Cinerary Urns*.—These are for the most part found either containing calcined bones or inverted over them. In height they range from 10 to 17 inches, examples occasionally occurring that exceed or fall short of these dimensions. They vary also so much in shape, that as many as seven sub-classes have been distinguished by the late Dr. Thurnam.³ Usually the upper part consists of a broad overhanging rim, more or less ornamented, though in many examples the decoration is not confined to this part. In some the rim is surrounded by a concave space as broad or broader than itself, below which the urn tapers to a comparatively small base. The larger specimens, generally believed to be the most ancient, are of coarse clay, mixed with small pebbles or gravel, and their walls are in most cases thick.

2. *Incense Cups*.—Like the last class, these vessels also occur with calcined bones. Judging, however, from recorded examples, they seldom contain such bones. But they often occur among them, enclosed in cinerary

¹ Greenwell, *British Barrows*, p. 65.

² Bateman, *Ten Years' Diggings, etc.*, p. 280 ; *Hydrotaphia Cambrensis ; Ancient Interments and Sepulchral Urns found in Anglesey and North Wales*, by the Hon. William Stanley and Albert

Way, F.S.A., pp. 3-6 (reprinted for private distribution from the *Archæologia Cambrensis*, 3rd series, vol. xiv.) ; Greenwell, *British Barrows*, p. 61 ; Thurnam, *Archæologia*, xliii. p. 337. ³ *Ib.* p. 345.

urns, though sometimes lying at a little distance off. In size they vary from $1\frac{1}{2}$ to 3 inches in height, and in shape and appearance differ so much, that it seems very doubtful whether they ought all to be grouped together as is usually done. Thurnam recognises three sub-classes, to the third of which he assigns no fewer than six varieties.¹ The most common form is that in which the sides are bevelled in towards a narrow mouth and base. Very often these little vessels are pierced on one side with two small holes, the true use of which has given rise to many conjectures. Rarely the perforation is single, while in other instances there is a pair of holes at opposite sides. "Incense cups" were so named by Sir Richard Colt Hoare,² from a belief that they had been used to contain perfumes or unguents suspended over the funereal fire—a supposition the correctness of which is open to much doubt. They are made of purer paste, and are better burnt than the vessels of the last class.

3. *Food Vessels*.—These are generally admitted to have been placed beside the body as receptacles of food. They are shaped either like a flower-pot or a bowl, and range from 5 to 6 inches in height. Some approximate so closely in appearance and size to certain forms of the first class, that it is not easy to determine in which of the two classes they ought to be placed. Thurnam arranges them under four sub-classes.³ Food vessels are usually, though by no means exclusively, found with unburnt bones, and in the majority of cases are placed near the head. Whether beside unburnt or burnt bones, they are almost invariably empty, but in some instances traces of animal or vegetable matter have been found in them. The ornamentation of some is rude and irregular, while of others it is most elaborate and tasteful.

4. *Drinking Cups*.—Drinking cups are found only with unburnt bones, and are generally laid near the shoulder of the skeleton. In Wiltshire, however, they have occurred more frequently near the feet. They are vessels of a somewhat elegant form, often contracted towards the middle. In height they vary from 6 to 9 inches. Their ornamentation is more uniformly profuse and elaborate than that of any of the other three classes. Thurnam distributes them under three sub-classes.⁴ A few specimens have occurred having a handle at the side. The clay of which drinking cups are made has

¹ *Archæologia*, xliii. p. 359.

² *Ancient Wiltshire*, vol. i. p. 25.

³ *Archæologia*, xliii. p. 378.

⁴ *Ib.* p. 391.

been carefully tempered with fine sand, and the vessels have been well baked. Their present name was first applied to them by Sir R. C. Hoare¹ from a supposition, apparently not ill founded, as to the purpose for which they were used.

Specimens of all the four classes are found from Cornwall to the Orkneys, though a class that is rare in certain localities may be the most abundant in others. In Ayrshire—judging, however, only from what we at present know of the examples it has yielded—the “food vessel” and the cinerary urn are the most plentiful; the “incense cup” has but seldom occurred, while the “drinking cup” must be regarded as extremely rare. But fuller information may alter this estimate. In now noticing Ayrshire “urns,” it will be convenient to follow the ordinary classification.

1. AYRSHIRE CINERARY URNS.

The fine specimen of the first class of urns, here figured, was presented in 1865 to the Museum of the Ayr Mechanics' Institution by the representatives of the late Dr. C. F. Sloan, F.S.A. Scot., of Ayr. On the closing of the Museum, after the sale of the Mechanics' Library and the breaking up of the Institution, it was removed to a small dark apartment in the Town's Buildings, along with the miscellaneous collection of articles of which it had formed a part.



FIG. 1.—Cinerary Urn, found at Moathill, Ochiltree.
Scale $\frac{1}{4}$.

This urn, which is formed of a coarse light-coloured clay, measures 17 inches in height; the diameter of the mouth is $14\frac{1}{2}$ inches, and that of the base 5 inches—dimensions that are but seldom exceeded in any vessels of the kind. Its sides are fully an inch in thickness, and its weight is

¹ *Ancient Wiltshire*, p. 25.

considerable. The mouth is slightly oval. There is a prominent overhanging rim with a still broader concave belt beneath. The circumference of the upper edge of this rim is $45\frac{1}{2}$ inches, of the under, 48 inches. The ornamentation, consisting of impressions apparently made by a twisted thong or sinew, is mostly confined to the rim and to its lip, which is slightly bevelled off inwards. These impressions are arranged some longitudinally, others in zig-zag fashion, and also appear in the latter style on the bevelled edge of the rim. Deep diagonal markings, as if made with some blunt instrument, are scattered very irregularly over the inside of the rim here and there throughout its whole breadth. The urn, which was at one time half full of calcined bones, was found at the Moot or Moat hill of Ochiltree. The label formerly attached to it is lost, but the testimony of several that had been connected with the Mechanics' Museum is quite explicit on the point. Whether it is identical with the urn mentioned in the following extract from the notice of the parish of Ochiltree, in the *New Statistical Account*, has not been ascertained; but it is not unlikely that the two are one and the same:—
 “At the toll-bar, on the road to Ayr, there is a place called the Moat, where, a few years ago, was found an urn with calcined bones.”¹ Old residents who remember the circumstance say that the urn referred to in this extract was discovered by workmen in making that portion of the Ayr road by which the steep ascent in the main street of the village may now be avoided. This fixes the date at about the year 1838.

To those who were privileged to spend an occasional hour with Dr. Sloan when his leisure permitted, the Ochiltree urn was a familiar object. For years it lay in a corner of his consulting-room, carefully placed in a box made for its reception. In many respects Dr. Sloan was a superior man. To a thorough knowledge of his profession, and a most genial disposition, he added intellectual gifts that made him a valuable friend and agreeable acquaintance. His store of information on general subjects was large, and on none did he dwell with greater enthusiasm than on the natural history and antiquities of his native county, more especially when he found a sympathetic listener. In the progress and prosperity of the Mechanics' Museum, as calculated to promote a taste for such studies, he took a warm interest, and had he lived longer its fate might have been different. To the great regret of a wide circle he was cut off in the very midst of his years and his

¹ *New Statistical Account of Scotland, Ayrshire*, p. 109.

usefulness. Those who knew him will not, I feel sure, deem this brief tribute to his memory out of place in the present volume; and others may excuse it on learning that to him we owe the preservation of nearly one half of the "urns" to be noticed in this paper as being still in existence.

The urn to be next described is of the same type as the last, but of smaller size. It is in the possession of Robert Hunter, Esq., of Hunterston, Hon. Mem. Roy. Soc. of Antiquaries of Copenhagen, who has kindly presented the accompanying illustration of it.



FIG. 2.—Cinerary Urn, found at Seamill, near Hunterston.
Scale $\frac{1}{4}$.

The height of this urn is $7\frac{1}{2}$ inches; its diameter at the mouth is $6\frac{1}{2}$ inches, and at the base $3\frac{1}{8}$ inches. From information obligingly furnished by Mr. Hunter, as well as from a notice of the discovery in the *New Statistical Account* of the Parish of West Kilbride,¹ we learn that it was found in 1830 by workmen employed in making the turnpike road from Kilrusken to Chapelton, at a place called Seamill,

in the immediate neighbourhood of an early circular fort. The decoration extends from the rim over the whole of the concave belt, on the latter of which it is arranged in a lozenge-shaped pattern, while on the rim it takes the form of perpendicular lines. Round the top and bottom of the rim, as well as the base of the belt, run similar encircling lines. The markings on the rim, as well as those on the belt, seem to have been produced by a twisted cord. Along with this urn was found another, which was presented at the time to the Museum of Anderson's College, Glasgow, where it may possibly still be.

In addition to these two existing examples of cinerary urns, there is, I am informed, a very large one in the Hunterian Museum, Glasgow, marked

¹ *New Statistical Account of Scotland, Ayrshire*, p. 258.

as from the "neighbourhood of Girvan," which probably belongs to the same class ; and among some newspaper notices of objects gifted to the Mechanics' Museum the following occurs under the date of 1840 :—"A fragment of an urn, with bones in it as discovered, was presented by Mr. Andrew, Fail Mill (Tarbolton), on whose farm three entire urns were lately found, which unfortunately crumbled away on exposure to the air."

The writer of the *New Statistical Account* of the Parish of Ayr, after mentioning that British urns of rude baked clay have frequently been found all over the lower part of the county, adds :—"One of the largest and most beautiful of these urns was found some years ago near the banks of the Doon, among a collection of ancient bones—

‘Beneath the cairn
Where hunters found the murdered bairn.’”¹

It is not known whether the specimen thus referred to still exists or not, but its occurrence proves the famous cairn to have been sepulchral ; and the short description given of the relic renders it pretty certain that were the latter again brought to light it would be found to be either a cinerary urn or a "drinking cup," most likely the former. In the notices of other Ayrshire parishes in the same publication, "urns" that, from their containing burnt bones, were in all likelihood cinerary are mentioned. Thus, in the account of Dalry we read :—"On the lands of Linn four urns were found containing burnt human bones. At Auchingree two similar urns were also discovered. About ten years ago an urn was discovered near Blair House containing burnt bones, and ashes apparently of coal. A part of the jaw-bone was unconsumed, which, with the remains of the urn, is in the possession of the gardener at Blair."² The writer of the account of Dundonald says :—"On the line of railroad passing through the farm of Barassie an earthen urn was found in 1839. It was filled with the usual complement of calcined bones, and from the coarseness of the material and rudeness of the workmanship, it seems rather to have been of British than of Roman manufacture. It was unfortunately broken in the course of extraction, and the fragments have found their way into the private museum of Colonel Blair of Blair."³ The minister of the parish of Stewarton writes in 1840 :—"About thirty years ago, while Mr. Deans of Peacockbank was rooting out

¹ *New Statistical Account of Scotland, Ayrshire*, p. 40.

² *Ib.* p. 220.

³ *Ib.* p. 667.

some trees in a small plantation, on Carnduff Brae, on his property, he discovered three urns containing human bones. The urns were covered with a great quantity of stones, forming, it is conjectured, one of those cairns in which the ancient inhabitants of this country buried their dead."¹ In the notice of the parish of Beith, by the late James Dobie, Esq., of Crummock, F.S.A. Scot., we are told that "on a field in the lands of Townend of Threepwood, about thirty-five years ago (*i.e.* about 1804), there was found a large vase of burnt clay, of a size capable of containing about six gallons. In it there was a considerable quantity of burned bones. The vase broke on being handled and exposed to the air, and soon crumbled into dust."²

The "urns" mentioned in these extracts cannot of course all be positively set down as cinerary. But if the accounts are trustworthy, and there is no reason to suspect the contrary, the greater number may be fairly reckoned as such, from the fact of their being stated to have contained burnt bones. Similar notices are found in the *Old Statistical Account* (Sir John Sinclair's) of several Ayrshire parishes, which, in order to make the record of Ayrshire "urns" and barrows more complete, may perhaps be collected on another opportunity.

2. AYRSHIRE "INCENSE CUPS."

The late Mr. Dobie of Crummock, in his notice of the parish of Beith, adds, immediately after the extract already quoted regarding the discovery of the cinerary urn at Townend of Threepwood:—"Within it there was



FIG. 3.—Incense Cup, found at Threepwood. Scale $\frac{1}{2}$.

found a small open urn of hard burned clay, and at a short distance from it another small urn was found by itself; probably the larger one, in which this last had been placed, was destroyed without being noticed."³ One of these small urns has been preserved, and was lately presented to the Museum of the Society of Antiquaries of Scotland by John Shedden Dobie, Esq., F.S.A. Scot., who, in Appendix No. III. of his edition of Pont's *Cuning-*

hame (Glasgow, 1876), has given an engraving of it from a photograph, which, by his kind permission, is reproduced here. It is an "incense cup"

¹ *New Statistical Account of Scotland, Ayrshire*, p. 734.

² *Ib.* p. 578.

³ *Ib. ut antea.*

with two perforations, and, as will be seen from the engraving (Fig. 3), is perfectly plain. It is 2 inches high, $2\frac{1}{2}$ inches wide at the mouth, and $1\frac{7}{10}$ inches at the bottom. The distance between the perforations, from the inner edge of each, is $\frac{4}{10}$ inch.

In the year 1851 a very remarkable example of this class (Fig. 4) was found at Genoch, parish of Straiton, by workmen engaged in preparing the foundations for a new dwelling-house. The site chosen was occupied by an artificial mound of earth, and in clearing it away a number of urns were exposed, containing burnt bones, several having in addition smaller urns lying inside them along with these bones. Except the "incense cup" here figured, the urns are said to have been all broken, or rather to have fallen to pieces as soon as touched.

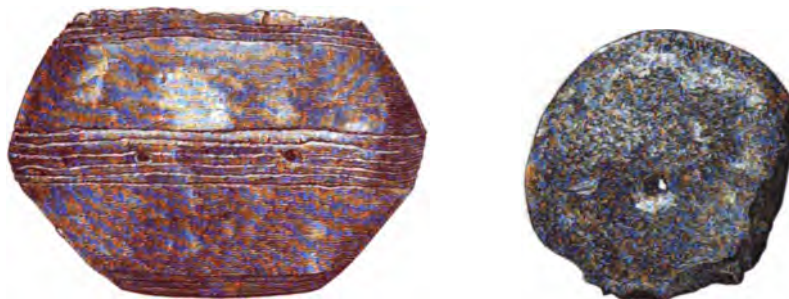
Hearing of this discovery, Dr. Sloan visited Genoch some time afterwards, where he got details of it from the tenant, who at the same time presented him with the "incense cup" and its contents. Unfortunately, he does not seem to have committed the information he then received to writing, no record of it being now among his papers.

The little "urn" is 3 inches in height, 3 inches in diameter at the mouth, and $2\frac{1}{2}$ at the base. Its greatest circumference is 15 inches. On one side, and in the line of this circumference, there are two holes about $1\frac{3}{4}$ inch apart (Fig. 5). The "cup" is nearly full of burnt bones and ashes, and accompanying it is a round piece of baked clay, $3\frac{1}{4}$ inches in diameter, and perforated near the centre with a single hole (Fig. 6). This lid or top, which Dr. Sloan believed to have been found lying on the cup when discovered, is much thicker, and made of coarser clay than the cup itself, and has been thoroughly burnt, showing, where a part of the edge has been broken off, no black fracture, as urns, owing to imperfect firing, so frequently do. The ornamentation is simple, being confined to incised lines, four of which encircle the mouth, six the middle, and four the base. The walls of the "cup" are comparatively thin, and formed of clay well prepared and fired.



FIG. 4.—Incense Cup, found at Genoch, Straiton. Scale $\frac{1}{4}$.

The particulars stated above in regard to the discovery of this very interesting object have been furnished by Mrs. M'Clive, widow of the



FIGS. 5 and 6.—The same Cup, showing (Fig. 5) the holes in the sides, and (Fig. 6) the perforated lid. Scale $\frac{1}{4}$.

former tenant of Genoch, and by Miss Sloan, from recollections of what she had heard her brother say. They are all that I have as yet been able to obtain. But two points are of importance.

At first sight, and considering the fact that in no instance, so far as I know, has any such appendage been elsewhere found with an "incense cup," and only in a few rare cases with "food vessels," one is inclined to doubt whether the connection of this lid or top with the little cup is anything more than accidental. Even were it ascertained beyond all doubt that it was found lying on the latter, it might possibly have been used, as coming readily to hand, merely to protect the enclosed bones, in the same way that slabs of stone are often found laid on the mouths of large cinerary urns evidently for this purpose. On the other hand, its size, exactly a quarter of an inch larger in diameter than the mouth of the cup, and the existence of the hole near its centre, as if intended to serve the same use, whatever that was, as those in its side, seem to point in another direction. While more explicit evidence of its having originally belonged to the cup than has been given is no doubt desirable, the two cannot, I think, be in the meantime dissociated.¹

¹ Since the above was written, the evidence of one of the workmen that had been employed in levelling the mound has fortunately been obtained—James Crombie, labourer, Straiton. On being questioned by Mr. A. R. Ralston, the present tenant of Genoch, he gave additional information about the discovery of the "incense cup," which it seems best to record here in Mr. Ralston's words in a letter to me, dated 29th April 1878. "I did not see Crombie till yesterday afternoon, as he was

Of equal interest are the contents of this "incense cup." From their small size it was evident even to the unscientific that the bones were those of a young person. But as it was expedient to have the point authoritatively determined, they were examined at my request by Wm. Turner, Esq., M.D., Professor of Anatomy in the University of Edinburgh, who obligingly furnished me in writing with the following statement:—"Numerous fragments of human bones, which had evidently been subjected to the action of fire, were submitted to me by Dr. Macdonald, of the Ayr Academy. These bones had been found in a small 'incense cup.' They were the bones of a child apparently in its fifth or sixth year. The evidence of the bones being those of a child is to be found in the palatal and alveolar part of the upper jaw, which is in a fair state of preservation, in the fragment of a cervical vertebra, and in the terminal phalanx of one of the fingers." In an exami-

late of getting home on Saturday night. He gave me the following particulars about the urns found here:—

"1. The mound where the urns were found was natural, and only about 3 feet of the soil, which is a light gravel, was taken off the top, in order to level the ground for the present farmhouse. They were discovered on the very top, within $1\frac{1}{2}$ feet of the surface, and would not be more than a few yards apart.

"2. There were a good many urns, probably about a dozen, but Crombie could not give the exact number. Every one of them contained burnt bones and ashes.

"3. The small urn was within a larger one, burnt bones and ashes being in both urns when found. The large urn was unfortunately broken by the pick of one of the workmen, the lid of the small one suffering slightly from the same cause. This lid was on it when found.

"4. There was no protection whatever round the urns.

"5. The urns were all standing on their narrow bases.

"6. The mound where the urns were found is called 'Knockerrennie Knowe,' and is supposed to have been at one time used as a burial-place. All the urns, except the one you write about, were broken by the workmen's tools, and were cast aside among the rest of the debris. Some of the broken pieces were covered over with carved work, more especially those of the large one containing the small one."

Crombie's account, the accuracy of which is shown by his mention of "carved work" on some of the broken pieces, not only confirms in every respect the statements made in the text on the authority of others, but adds considerably to our knowledge of the circumstances in which the Genoch "incense cup" was discovered. One cannot help regretting, though the regret is now a vain one, that nothing else has been preserved of this interesting "find."

nation of the ashes the experienced eye of Mr. Joseph Anderson, Keeper of the Museum of the Society of Antiquaries of Scotland, detected two fragments of a bronze pin, one of them about an inch in length.

So rarely in the Rev. Canon Greenwell's experience have burnt bones been found in "incense cups," that he says of the latter that when discovered they "invariably accompany deposits of burnt bones, placed both amongst and upon them, but scarcely ever, except accidentally, containing them."¹ The late Mr. Dobie of Crummock, in his notice of the parish of Beith already referred to, puts forward the opinion that they "were doubtless for receiving the ashes of the brain and heart, while those of the body were lodged in the larger vessel," a supposition which has had its supporters. On the other hand, Mr. Llewellynn Jewitt considers that these small vessels, "from their usually containing calcined bones, were the receptacles for the ashes of the infant, to be buried along with those of its mother,"² and the same archæologist has more recently proposed to call them "Immolation Urns," from a belief that they were "intended to receive the ashes of the infant, perhaps sacrificed at the death of its mother," and made small, "so as to admit of being placed within the larger urn containing the ashes of the parent."³ Dr. John Alex. Smith, in a paper read some years ago before the Society of Antiquaries of Scotland on a small "incense cup" discovered in Fifeshire filled with indurated ashes, amongst which were the bones of a child, and enclosed in a larger urn, says more cautiously:—"There is no doubt, from the instance I have described, as well as from the others referred to, that in some cases, at least, these small urns were actually used to contain the ashes of an infant, buried, in all probability, along with the ashes of its mother."⁴ The Genoch "incense cup" adds another to these instances, its contents, however, being not those of an infant, but of a child of still tender years.

Very great diversity of opinion exists among archæologists, not only as to the use for which "incense cups," so called, had been employed in connection with ancient interments, but also as to whether they had previously served

¹ *British Barrows*, p. 18.

² *Grave Mounds and their Contents*, p. 107.

³ *The Ceramic Art of Great Britain*, vol. i. p. 4.

⁴ *Proc. Soc. of Ant. of Scot.*, vol. ix. p. 207.

For other cases besides Dr. Smith's of small urns

supposed to contain the remains of infants and found in larger ones, see *Hydriotaphia Cambrensis*, etc., p. 12, and *Transactions of the International Congress of Prehistoric Archæology*, vol. iii. pp. 383, 384, 386.

any domestic purpose before being so used. This latter question has also been raised in regard to the other three classes of sepulchral pottery, as will be afterwards briefly noticed. The opinion which led Sir Richard Colt Hoare to give the class now under consideration its present name is by no means generally accepted. According to others, they were lamps,¹ censers, or chafers, for conveying fire,² or salt-cellars. If, "incense cups" were domestic as well as sepulchral vessels, it seems to me highly probable that, differing as many of them do from one another in almost every respect but size, the various forms may have been put to distinct economic uses.

3. AYRSHIRE "FOOD VESSELS."

Fig. 7 represents a "food vessel" from Dr. Sloan's collection. It is of coarse dark clay, somewhat inelegant in shape, and marked "Skeldon, Ayrshire." Nothing more than this is known regarding its history. The markings, which are impressions of a twisted thong arranged in perpendicular



FIG. 7.—"Food Vessel," from Skeldon. Scale $\frac{1}{4}$.



FIG. 8.—Another "Food Vessel," from Skeldon. Scale $\frac{1}{4}$.

and diagonal lines, extend over its whole outer surface. In some places the spaces between them are filled up by triangular-shaped punctures, made

¹ Birch, *Ancient Pottery and Porcelain*, vol. ii. p. 380.

² *Hydriotaphia Cambrensis*, p. 73.

with a blunt instrument. Round the upper edge of its mouth are three encircling lines of corded impressions, and a narrow but well-marked groove runs round the outer surface about an inch and a half from the top, below which it begins to bevel off towards the base. This "urn" is $4\frac{7}{8}$ inches high, $4\frac{7}{8}$ inches wide at the mouth, and $2\frac{7}{8}$ inches at the base.

Another "food vessel" from the same locality (Fig. 8) is in Dr. Sloan's collection. It also is $4\frac{7}{8}$ inches high, but its width at the mouth is $5\frac{3}{4}$ inches, while at the base it is only $2\frac{1}{2}$ inches. It is more tasteful in shape than its companion. The upper part is surrounded by a broad concave belt. Round this belt and the upper edge of the mouth are circling lines of cord-like impressions. Immediately below comes a slight groove, in which are four knob-like projections at irregular intervals. In some "food vessels" such projections are often pierced in the direction of the groove. The lower portion is encircled by five similar lines, or shallow grooves, the spaces between which are all ornamented by diagonal lines drawn with a sharp instrument in herring-bone fashion.



FIG. 9.—"Food Vessel," found at Law, Tarbolton.
Scale $\frac{1}{4}$.

The "urn" represented by Fig. 9 was formerly in the collection of the Ayr Mechanics' Museum, and was presented to it in 1840 by Mr. James Hunter, Law, parish of Tarbolton, on whose farm it was dug up about the year 1831. "It was found," says a short notice of it that appeared in the Ayr newspapers at the time it was gifted to the Museum, "placed on a rock, and covered with upwards of three feet of earth. It contained no bones, but was

blackened as if it held ashes of animal matter."

The walls of this "food vessel" are of very coarse clay. Nearly all the outer surface is ornamented, but after a rude fashion. Round the upper edge of the mouth are three lines of the twisted cord pattern; other three encircle it below the slightly beaded rim. Then follows a band formed of a

series of slight depressions, which are ornamented in chevron fashion. Below this are other two lines of the twisted cord type, and then, where the circumference of the body is greatest, an encircling groove, indented by two rows of punctures, and having seven scarcely raised projections similarly marked. The rest of the outer surface down to the base is occupied by three bands, with similar rows of punctures, separated from the groove and from one another by three or four rows of thong-like impressions. The "urn" is $5\frac{1}{4}$ inches high, $5\frac{1}{4}$ inches wide at the mouth, and $2\frac{3}{4}$ inches at the base.

In the same collection was another urn which is unfortunately no longer entire. The fragments show it to have been bowl-shaped, as well as tastefully moulded and ornamented, but the firing has been very imperfect. Its height is $4\frac{5}{8}$ inches, its diameter at the mouth is $5\frac{1}{2}$ inches, and at the base $2\frac{1}{2}$ inches. The label which had been attached to it in the Mechanics' Museum is lost; and among the newspaper notices of articles presented, no one likely to answer can be found, except the following, dated August 1849:—"A Roman (*sic*) sepulchral urn, in excellent preservation, found in a field near Maybole, presented by Mr. Hugh M'Millan, Maybole." But this identification is by no means certain.

The ornamentation of this "food vessel" is somewhat complicated and peculiar.¹ The lip or upper edge of the mouth is scored with diagonal lines. Just below the rim come several encircling lines, indistinctly dotted as if with a finely-toothed instrument, and then a band so incised with triangular depressions as to have a zigzag form. At the line of greatest circumference is an encircling ridge scored with perpendicular markings; an inch and a half below is another, the space between being adorned in nearly the same way as the rather broader space between the first ridge and the mouth. Below the second ridge is a thin band with zigzag markings, between which and the bottom notched lines cross each



FIG. 10.—"Food Vessel," found at Maybole (?). Scale $\frac{1}{4}$.

¹ The engraving, being from a photograph, does not show the markings very distinctly.

other in diagonal fashion. The bottom, as is shown in Fig. 11, is slightly ornamented with eight lunate depressions round the edge, giving the whole a star-like appearance.¹



FIG. 11.
Bottom of "Food Vessel," shown in Fig. 10.

The occurrence of any kind of decoration on the bottoms of "food vessels" is a very rare feature, at least in British examples; but there are Irish specimens in which they are thus ornamented, after a radiating or stellate fashion. On the bottoms of English "incense cups" a cruciform pattern is by no means uncommon.

Fig. 12 is from the Lanfine Collection.² Its dimensions are $3\frac{3}{4}$ inches high, $4\frac{1}{2}$ inches in diameter at the mouth, and $1\frac{3}{4}$ inches at the base. This "food vessel" is one of those mentioned in the following extract from the *New Statistical Account* of the Parish of St. Quivox:—"Several small earthen urns were lately discovered in levelling a sandbank at Content. . . . They are now in the possession of Dr. Memes, rector of the Ayr Academy."³



Fig. 12.—"Food Vessel," found at Content, now in Lanfine Collection.⁴ Scale $\frac{1}{2}$.

The ornamentation is very distinctly seen in the engraving, and consists of diagonal lines scattered over the whole surface, and arranged more or less closely in herring-bone fashion. Round the greatest circumference of the body runs a groove, with several knob-like projections.

Another of the Content "Urns" (Fig. 13) remains the property of Mrs. Memes. Its height is $4\frac{1}{2}$ inches, and its diameter at the mouth $4\frac{1}{2}$ inches, at the base $2\frac{1}{2}$ inches. The ornamentation is elaborate, and covers the whole outer surface, including part at least of the bottom. The bevelled upper surface of the lip, which is $\frac{5}{8}$ inch in thickness, is encircled by two rows of dot-like depressions, that have a

¹ Both in its shape and some details of its decoration this "food vessel" bears considerable resemblance to an Irish example figured by Thurnam, *Archæologia*, xliii. p. 381.

² See page 65.

³ *New Statistical Account of Scotland*, Ayrshire, p. 120.

⁴ Illustration presented by Miss Brown of Lanfine.

very small prominence in the centre of each, alternating with the same number of rows of closely-set notches. Round the projecting rim is another row of dot-like depressions. Below the rim a belt, $1\frac{1}{2}$ in. in breadth, is filled by perpendicular rows of notches, in the broader spaces between which are incised lines arranged in herring-bone fashion. This is followed at the greatest circumference of the "urn" by an encircling line of notched markings and two rather narrow bands, divided by perpendicular rows of notches into oblong portions, in the centre of each of which is a longitudinal line of similar notches. Eight bands, separated by sharply cut lines, and covered with incisions made after herring-bone pattern, occupy the rest of the surface, except round the bottom, where there is a band divided and notched in the same way as those on the greatest circumference. Round the inner edge of the bottom, of which the greater part has been unfortunately broken off, runs a row of closely set notches, enclosing zigzag lines of the same, as shown in the engraving.



FIG. 13.—Another "Food Vessel," found at Content. Scale $\frac{1}{4}$.

Two Ayrshire "food vessels," to be seen in the collection of the Society of Antiquaries of Scotland, are here figured.



FIG. 14.—"Food Vessel," found at Kirkhill, Ardrossan.



FIG. 15.—Another found near Eglinton Castle. Scale $\frac{1}{4}$.

In size and general appearance the Kirkhill "food vessel" (Fig. 14) bears a close resemblance to the Skeldon one (Fig. 7). It is ornamented by punctures arranged in nearly perpendicular lines. The height of this "urn" is $4\frac{1}{2}$ inches, the diameter of its mouth is $4\frac{1}{2}$ inches, and of the base 3 inches. The Eglinton "food vessel" (Fig. 15) is not entire, but enough remains

to show its original form. It is undecorated, except by two encircling ridges which divide its outer surface into three nearly equal parts. Its height is 7 inches; diameter at the mouth 6 inches, and at the base $2\frac{1}{2}$ inches.

In the Hunterian Museum there is a "food vessel" found at Ladyland, Kilbirnie, and presented to that collection by the late William Cochran, Esq., of Ladyland. It will likely be described in a succeeding paper.

In the *New Statistical Account* of the Parish of Tarbolton, the Rev. Mr. Ritchie thus describes the opening in May 1837 of "King Coil's Tomb," so called, and its contents, so far as then examined:—"To the south of Coilsfield House, and immediately west of the farm-offices, is a circular mound. . . . On the centre and highest part of this mound are two large stones, masses of basalt, which, according to tradition, mark the spot where the mortal remains of Old King Coil were deposited." When these stones were removed "the centre of the mound was found to be occupied by boulder stones, some of them of considerable size;" and, at the depth of about four feet the excavators "came on a flag-stone of a circular form, about three feet in diameter," under which "was first a quantity of dry yellow sandy clay, then a small flag-stone laid horizontally, covering the mouth of an urn filled with white-coloured burnt bones. In removing the dry clay by which this urn was surrounded, under flat stones, several small heaps of bones were observed, not contained in urns, but carefully surrounded by the yellow coloured clay mentioned above. . . . The urn is $7\frac{1}{8}$ inches in height, $7\frac{1}{8}$ inches in diameter, and $\frac{1}{8}$ ths of an inch in thickness. It has none of those markings, supposed to have been made by the thumb nail, so often to be observed on sepulchral urns, and it has nothing of ornament except an edging or projecting part about half-an-inch from the top. No implements of any description could be found. . . . Other urns were found less indurated, and so frail as to fall to pieces when touched."¹ The urn of which the dimensions are given is understood to have been taken to Eglinton Castle by the late Mr. Johnston, then factor for the Earl of Eglinton. These urns were probably all "food vessels."

¹ *New Statistical Account of Scotland, Ayrshire*, p. 752.

4. AYRSHIRE "DRINKING CUPS."

Of these, only one example can here be recorded with certainty. It was found in the course of some explorations in a tumulus called the "Court-hill," in the parish of Dalry, as elsewhere described in the present volume¹ by Mr. Cochran-Patrick of Woodside, as well as in a paper read by him some time ago before the Society of Antiquaries of Scotland, and published in their Proceedings.² On opening a trench into the tumulus, as will be seen from the account of the operations, a line of small boulders and stones was met with, which led to a cairn, partly sunk below and partly raised above the original surface. On removing this cairn a flat sandstone was reached, and all about lay fragments of what, when collected and put together, proved to be a fine "drinking cup," minutely and elaborately ornamented. Around it are five belts or bands at about equal distances from each other, covered with lines of punctures, diagonally set and arranged in herring-bone fashion. Round the mouth and base, and in the spaces between the belts, are a number of regular rows of minute dotted markings. The height of this "drinking cup" is $9\frac{1}{2}$ inches; the mouth is $6\frac{5}{8}$ inches in diameter, the base $3\frac{3}{4}$ inches.



FIG. 16.—"Drinking Cup,
found at Courthill, Dalry.
Scale $\frac{1}{2}$."

Before leaving Ayrshire "urns" for the present, a single remark has to be made on a question already referred to, that has given rise to much discussion. Setting altogether aside the consideration of the particular funereal purpose for which "urns" of all the four classes may have been used, were they, it is sometimes asked, made specially to be deposited with the dead, or are they articles that, previous to being so deposited, had been in daily use for the purposes of common life? By many eminent foreign, and not a few of the most sagacious of British, archæologists, the opinion is held that

¹ See p. 55.

² "Note of some Explorations in a Tumulus, county of Ayr, by R. W. Cochran-Patrick, Esq., B.A., LL.B., F.S.A. Scot." *Proc. Soc. of Ant. of Scotland*, vol. x. p. 281.

they were all specially manufactured for the object to which they were devoted, as we now find them. Not to mention others, Canon Greenwell, whose opinion is entitled to the highest respect, comes to this conclusion, which is perhaps that of the greater number of those who have given the matter some attention.¹ On the other hand, the late Mr. Albert Way pronounced very decidedly in favour of the "probability that all the so-called sepulchral vessels, without exception, may have been fabricated for the ordinary purposes of daily life."² Dr. J. A. Smith, in the paper already quoted, is inclined to take the same view, and calls attention to the fact that hand-made vessels, quite as rude in style and ornamentation, have been in use in the Hebrides in our own day as domestic utensils.³ Curious and interesting as the subject is, it must not be pursued farther here. The series of volumes of which the present is the first is intended to be a store-house of facts rather than a medium for discussing probabilities. It was a true insight into the proper spirit in which all such investigations ought to be conducted that led the great Wiltshire antiquary,⁴ the first scientific inquirer into that branch of archæology to which the present paper belongs, to choose as the motto of his magnificent volumes, "We speak from facts, not theory."

JAMES MACDONALD.

AYR, April 1878.

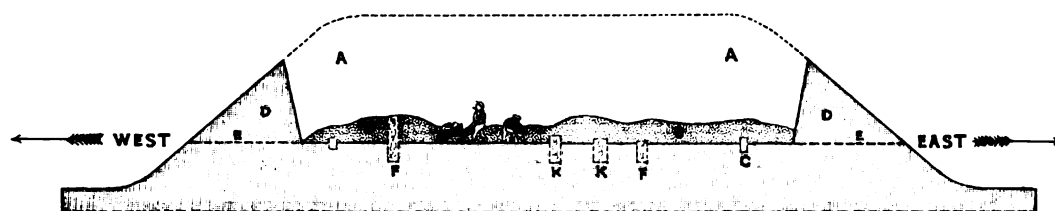
¹ *British Barrows*, pp. 103-109.

³ *Proc. Soc. of Ant. of Scotland*, vol. ix. p. 204.

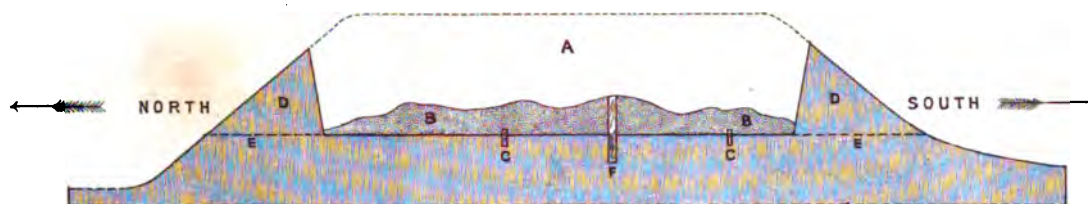
² *Hydriotaphia Cambrensis, etc.*, pp. 67-75.

⁴ Sir Richard Colt Hoare.

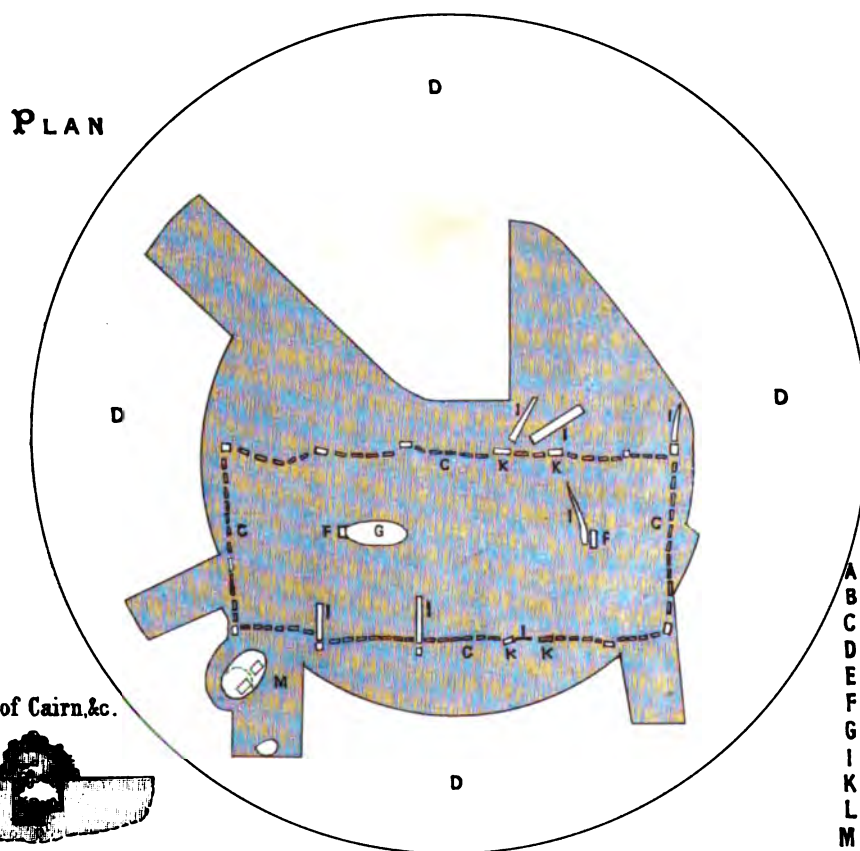
PLAN & SECTIONS OF EXCAVATIONS, COURTHILL, DALRY.



Section N° 1.



Section N° 2.



Section of Cairn, &c.



REFERENCES.

- A Excavated Earth
- B Peaty Soil and Marsh silt.
- C Oak stakes forming an enclosure
- D Part of Mound not removed.
- E Original Surface.
- F Oak Stakes.
- G Ashes &c. the soil much calcined.
- I Burnt portions of fallen stakes.
- K Four Stakes with grooves.
- L Position of Wooden object.
- M Excavation containing Urn.

Scale 10 5 0 10 20 30 40 50 60 70 80 FEET.

Sec:



III.

NOTE ON SOME EXPLORATIONS IN A TUMULUS CALLED THE "COURTHILL," IN THE PARISH OF DALRY AND COUNTY OF AYR.¹

THIS tumulus is situated close to the present town of Dalry, on the north-west side, and occupies the highest point of a considerable rising ground, which is projected south-eastwards into the valley of the Garnock, and from which a wide extent of country both up and down the valley is visible. A reference to the Ordnance Survey map shows that it is 250 feet above the level of the sea, and 100 feet above the lowest part of the valley.

The Courthill tumulus itself is of very considerable size, and in an excellent state of preservation. From the accompanying plan, which was drawn by Mr. Paton of Swinlees, who took a great interest in the exploration, and devoted no small amount of time and trouble in superintending the work, it appears that the hill was about 290 feet in circumference at the base, of nearly circular form, and apparently about 20 feet high, though the excavations showed that the original surface within the mound was nearly 5 feet higher than at the base. The diameter of the top of the mound was about 38 feet.

Almost nothing is known of the history of the tumulus. It is not mentioned, so far as I am aware, in any of the old charters or papers connected with the district. The land on which it stands formed part

¹ *Proceedings of the Society of Antiquaries of Scotland*, vol. x. p. 281.

of the eleven-merk land of Ryesholm, a property which had long been in the possession of the Boyle family. The *Old Statistical Account* of the parish refers to it, and states that an attempt was made at one time to ascertain its contents by boring, but nothing being found, the work was discontinued.¹ The *New Statistical Account* mentions the removal of part of the base at the beginning of the present century to fill up hollows in an adjoining field.²

About the commencement of 1872 it became evident that this fine tumulus would be destroyed by the debris from a pit. The opportunity of making a thorough exploration of such an interesting relic was at once taken advantage of by some gentlemen resident in the district, and immediate application was made to the proprietors, Messrs. Merry and Cuninghame, for permission to excavate. This was willingly granted, and every facility afforded. The explorations were at once commenced and carried on during most part of the summer. The greatest interest was manifested by the residents, and everything which was found was preserved with the utmost care, and is now deposited in the National Museum of the Society of Antiquaries of Scotland,—the proper resting-place of all archæological relics.

The first operation was to open a trench from the west side of the mound in towards the centre north-eastwards. This was about 5 feet wide, and was carried in for a considerable distance at a depth of about 14 feet from the top of the tumulus. About 19 feet inwards, measuring from the circumference of the base, and 14 feet from the top of the tumulus, a low dyke or line of small boulders and land stones crossed the trench, almost exactly in an alignment with and close to the oaken stakes indicated on the plan. These stones rested on the original surface, which is here about $4\frac{1}{2}$ or 5 feet above the present level of the ground at the base of the tumulus, showing that the soil had been removed, and probably assisted in adding to the hill when it was originally formed. Immediately above the stones were layers of burnt earth, mixed with pieces of charcoal and other burnt matter, and in this was found a very good flint arrow-head. Along with this arrow-head were some unwrought flint chips and fragments. Immediately above

¹ *Statistical Account of Scotland* (1794), vol. xii. p. 105.

² *The Statistical Account of Ayrshire* (1842), p. 220.

the charcoal was a stratum of dark unctuous earth, with layers of vegetable matter, composed principally of fern and moor moss. On exposure, the fern was almost green, but the action of the air rapidly turned it to the colour of peat. Nothing of great interest was found till the point marked F on the plan was reached, about 9 feet from the stones, and 29 feet from the circumference, where a log or post of oak was discovered, standing nearly perpendicular, with a slight inclination to the south-west, inserted for a depth of about 2 feet in the original soil, and securely wedged in with stones. This post was much blackened, and with an appearance as if charred by the action of fire in the upper part. It was, when taken out, 4 feet 9 inches in length, the lower part for about 2 feet being artificially squared, with a base of $11\frac{1}{2}$ inches by 10 inches. Marks of a sharp cutting tool were clearly observable on this part of the post. About 4 feet from the base on one side was an artificial hole, nearly circular, the diameter being about $1\frac{1}{2}$ inches, and nearly 3 inches deep.



FIG. 1.—Full size.

Within the line of this post a considerable mass of burnt ash was found, and the surface of the ground showed distinct traces of the action of a fierce and long-continued fire. The cutting of the trench afforded a good opportunity for examining the nature of the contents and structure of the mound. Measuring from the top of the hill, it was found that the ordinary earth occupied from 10 to 12 feet of the whole section. This had apparently been taken from the land immediately adjoining the tumulus, and heaped up over the other deposit. No remains were found anywhere in it. Immediately below was a thin band or layer of yellowish clay, mixed with small stones or gravel, about 12 or 14 inches in depth in most places. This rested on a deposit of dark unctuous earth, from 3 to $3\frac{1}{2}$ feet in depth near the post, but varying in other places from 1 foot upwards. This dark earth was found to contain layers of fern, moor moss, coarse grass, reeds, etc., mixed with small pieces of charred wood. Immediately below it in several places, and resting on the original surface, was found a thin layer, from 1 to 2 inches in depth, of gray and red ashes, with occasionally small fragments

of bone, of which some were with difficulty preserved, and are now, with the rest of the objects found, in the National Museum at Edinburgh. The largest of these was apparently part of the bone of a large deer. In many places the earth below this bed of ash was reddened by the action of fire to the depth of 3 or 4 inches. It very frequently happened that a thin layer of very highly compressed moss and bracken covered the ash, without, however, showing any trace of the action of fire. The flint chips and worked flints were found immediately above the bed of ash. The following are figured here:—Fig. 2 is a trimmed flake or scraper, the exact size of the original (compare Evans, Fig. 250). Figs. 3 and 4 are worked flints of the rounded scraper form, of natural size (compare Evans, Fig. 220). The others were merely chips or flakes, showing little secondary working.



FIG. 2.—Full size.

FIG. 3.—Oyster-shell Scraper.
Full size.FIG. 4.—Ear-shaped
Scraper. Full size.

After carrying in the trench some distance beyond the centre of the hill, and down to the original surface, it was resolved to remove all the earth over the dark stratum, and lay bare the original surface. A very considerable amount of work was required to accomplish this, and a very curious palisaded structure was disclosed, the description of which will be best understood by reference to the ground-plan as shown in the Plate.

The extreme length from end to end was 46 feet, and the breadth 20 to 21 feet. The sides were composed of small oak stakes, generally flat, set into the original surface, and almost touching each other. All these were much decayed, and showed traces apparently of the action of fire. Four of these stakes, marked K on the plan, presented the remarkable peculiarity of a regularly hollowed-out groove on one side. These four stakes were much larger than those forming the sides and ends, and were placed in pairs opposite each other. They were carefully squared, and formed evidently with some sharp tool. Each was pitted into the original soil, and firmly wedged in with stones. The space between each pair was about 3 feet, and was filled with small round hazel and birch posts, about 2 inches in diameter, and showing the extremities artificially sharpened. The following measurements, taken from one of these stakes when first discovered, will give a good idea of the others. The breadth was 1 foot 6 inches, with the thickness at the top varying from 4 to 5 inches. The length of the part preserved was 2 feet 1 inch, but the upper portion was very much decayed, and had evidently been longer. The groove ran the whole length of one side, and the breadth of it was from 2 to 3 inches. It was about 4 inches from the end of the stake, which had been fixed in the original surface. The depth of the groove varied from three-quarters of an inch to an inch and a half. The other three posts varied slightly in size from this one, but presented the same general appearance, and each showed a groove of similar size.

At F another large post or stake of oak was found, 9 feet inwards from the line of stakes, and apparently corresponding to the one first discovered. These interior posts were more firmly fixed into the soil than the others. Extending eastward from the western post was a deposit of ashes about 3 inches thick, nearly 6 feet in length, and about $2\frac{1}{2}$ in breadth. Amongst the ashes were numerous small fragments of bone, and parts apparently of deer's horn. It may be noticed here that the pieces of bone when first exposed were white, but in the course of a very short time they became a beautiful bright blue colour. Between one pair of these grooved stakes, at the place marked L on the plan, a piece of hard oak was discovered, evidently artificial, and showing a hole cut in it. The length was 1 foot 2 inches; the

breadth across $5\frac{1}{4}$ inches, decreasing to $3\frac{3}{4}$ inches. The form of the object is shown in Fig. 5.



FIG. 5.—Scale $\frac{1}{4}$.

Having completed the investigation of the palisaded structure, it was determined to follow the line of stones which had been met with in cutting the first trench. The earth having been cleared away, a cairn of stones was found, beneath which was a hole sunk into the original surface. This is marked M on the plan. This hole was in a line with the west end of the structure, and about 3 feet southwards from the corner post. It was about 4 feet 10 inches long, by 3 feet wide, and 3 feet 5 inches below the original surface. The stones filled the hole, and were raised apparently about 3 feet above the surface. At the bottom of the cavity a flat sandstone, about a foot square, was found, carefully bedded in clean sand from the river. Near it was a piece of blackened oak, similar to the stakes of the structure, and all about were fragments of a fine and highly ornamented urn. These fragments have been most carefully collected and put together by Mr. Paton of Swinlees, and the urn as restored is shown in Dr. Macdonald's paper, p. 53 of this volume. It is to be remarked that the layers of gravel and soil were continued beyond and over the cairn, showing that it was *in situ* when the tumulus was formed, though, from the fact of the piece of oak being found amongst the stones, and the urn having been broken, it had evidently been disturbed at the time the upper part of the tumulus was formed.

In conclusion, I have to acknowledge the interest taken in this work by Mr. Paton of Swinlees, Captain Paton of Hillhead, the late Mr. Robert Love of Threepwood, F.S.A. Scot., and other gentlemen, and the obligations I am under to the gentlemen named for the care with which all the measurements, etc., were taken, and for revising the details now printed.

R. W. COCHRAN-PATRICK.

WOODSIDE, BEITH, May 1878.

IV.

ANTIQUITIES FOUND IN AYRSHIRE, AND PRESERVED AMONGST THE ARCHÆOLOGICAL COLLECTIONS OF MISS BROWN OF WATERHAUGHS AND LANFINE.

Fig. 1. Stemmed and barbed arrow-head of flint, finely serrated along the edges. Found on the estate of Lanfine, 10 feet under moss, in June 1856. This very beautiful specimen may be compared with the one figured in Evans's *Ancient Stone Implements*, Fig. 316, but the minute chipping is more like the work on Fig. 317, in the same volume.



FIG. 1.—Full size.

Fig. 2. Stemmed arrow-head of flint, found on the estate of Lanfine in May 1859. This is a ruder and more imperfect example than the first.



FIG. 2.—Full size.



FIG. 3.—Full size.

Fig. 3. Stemmed and barbed arrow-head of flint, found on the estate of Lanfine 9th September 1864. This is of finer work than the immediately preceding, but does not show the same amount of careful finish as the first example.



FIG. 4.—Full size.

Fig. 4. Stemmed arrow-head of flint, found on the estate of Lanfine.



FIG. 5.—Full size.

Fig. 5. Drill of flint found in the parish of Galston, in March 1857, near where Fig. 1 was discovered. This specimen is of the same type, but of larger size than the example figured in Evans's *Ancient Stone Implements*, Fig. 229.



FIG. 6.—Full size.

Fig. 6. Perforated circular bead of serpentine, found $7\frac{1}{2}$ feet below the surface when draining a peat moss on Lanfine, July 5, 1862.

Fig. 7. Perforated piece of cannel coal, found in a cairn on Moss-side, Loudoun parish, by James Millar, farmer there, in 1860. This example is figured one half of the size of the original.

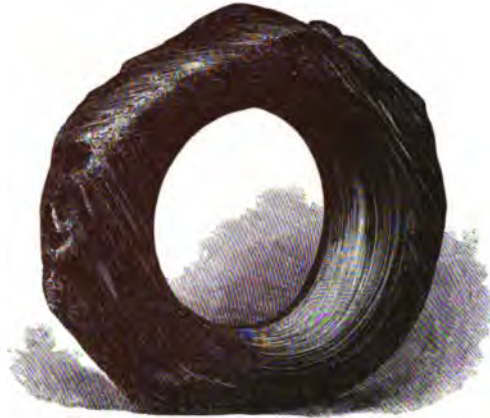


FIG. 7.—Scale $\frac{1}{4}$.



FIG. 8.—Scale $\frac{1}{4}$.

Fig. 8. Mould of serpentine found at Trochraigue, near Girvan, in 1851. It was exhibited to the Society of Antiquaries of Scotland in February 1852,¹ and is fully described in their *Proceedings*. It is an irregular oval slab of green serpentine, $16\frac{1}{2}$ inches in length, $9\frac{1}{2}$ inches in breadth, and about $2\frac{1}{4}$ inches greatest thickness. The same stone is found *in situ* about eight miles south of where it was discovered. Fig. 9 shows the other side of the same mould.

¹ *Proc. Soc. Ant. Scot.*, vol. i. p. 45.

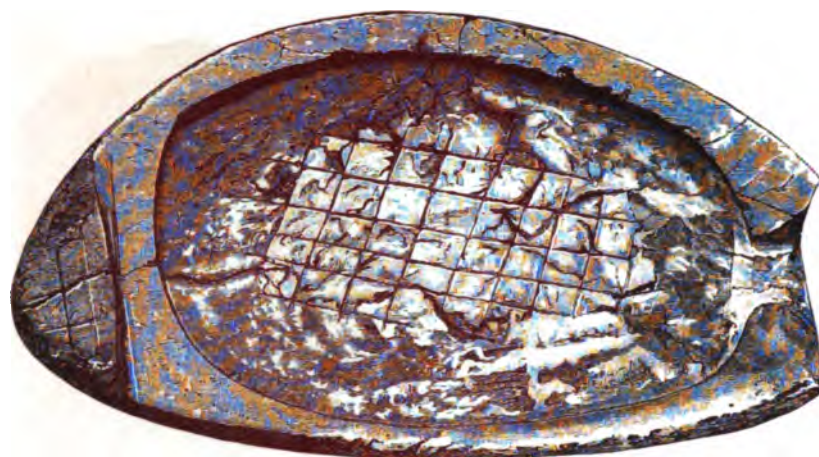
FIG. 9.—Scale $\frac{1}{4}$.

Fig. 10. Bronze flagon found at Carleith,
four miles from Lanfine.

FIG. 10.—Scale $\frac{1}{4}$.

Fig. 11. Bronze pot
found in Ayrshire.

FIG. 11.—Scale $\frac{1}{4}$.

Fig. 12. Bronze vessel found at Monk,
near Galston Moor.



FIG. 12.—Scale $\frac{1}{4}$.

An urn in the same collection, figured and described in Dr. Macdonald's paper, p. 50 of this volume, was presented to the late Thomas Brown of Waterhaughs by C. D. Gairdner, Esq.

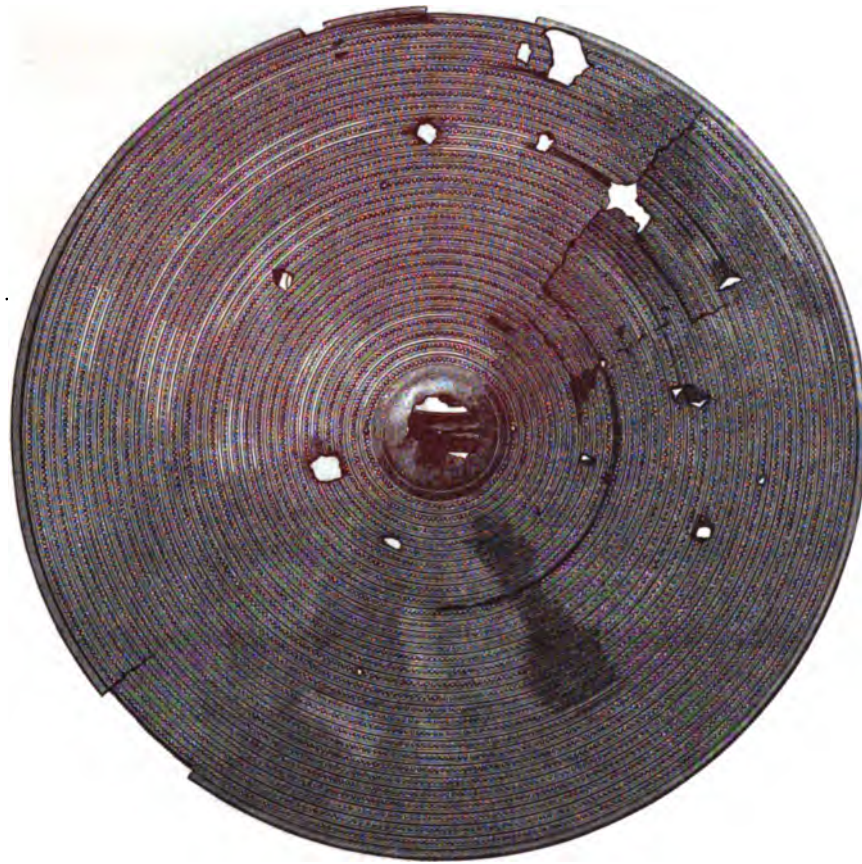


FIG. 1.—Bronze Buckler.

V.

NOTE ON A BRONZE BUCKLER FOUND ON LUGTON-
RIDGE FARM, IN THE PARISH OF BEITH.

IN the Museum of the Society of Antiquaries of London is a circular buckler of bronze, which, in the Catalogue compiled in 1847 by that distinguished

authority, the late Mr. Albert Way, is thus described :—"British buckler of bronze, designated by Sir Samuel Meyrick as the tarian; it has a semi-globular umbo, surrounded by twenty-nine concentric rows of small studs, with intervening ribs; diameter, $26\frac{3}{4}$ inches, diameter of umbo, $4\frac{3}{8}$ inches. It is almost precisely similar to the tarian in the Goodrich Court Armoury, found near Aberystwith."¹

Mr. Way then points out that this may possibly be the shield which was found in a peat moss on a farm called Luggtonrigge, near Giffin Castle, Beith (miswritten Brith), in Ayrshire; although, in the Minutes of the Meetings of the Society, the diameter is entered as having been about $15\frac{1}{4}$ inches only, possibly by an error of transcript. The minutes referred to are as follows :²—"Thursday, Nov. 17, 1791, Rev. Dr. Farmer in the chair.—Dr. Ferris presented to the Society a Shield dug out of a large Moss, about 12 years since, 6 or 7 feet below the surface, when the People who found it were casting peats on a Farm called Luggtonrigge, near Giffin Castle, in the Parish of Brith (*sic*) in Airshire, about 10 or 12 miles from the Town of Air, and 4 miles from Irvin. There were four or five more of the same kind dug out at the same time, and they were observed to have been regularly placed in a ring. The possessor of the estate, Mr. Baillie John Storie of Paisley, could only procure this, as the Labourers had disposed of the rest before Mr. Storie had received any information of the discovery of them. These are all the particulars which Dr. Ferris has been able to procure concerning the Shield, which is of Brass, circular, about $15\frac{1}{4}$ inches in Diameter, embossed in the middle, and hollow on the other side, to admit the grasp of the hand. Thanks were ordered to Dr. Ferris for this obliging communication and present."

Notwithstanding the discrepancy as to measurement, there can, I think, be little doubt that the shield, still preserved in the Museum of the Society of Antiquaries, is the identical specimen presented by Dr. Ferris; the only other buckler in the collection being of considerably smaller diameter than $15\frac{1}{4}$ inches, and its history being, moreover, known. It seems possible that the error in the measurement may have arisen from a rule 42 inches long having been used, and the inches read off from the wrong end. At all events, $26\frac{3}{4} + 15\frac{1}{4} = 42$. Of Dr. Ferris, the donor, I find no mention in the *Archæologia*, and even of the shield itself there is no record in that publication.

¹ *Archæol.*, vol. xxiii. pl. xiii.

² *Minutes*, vol. xxiv. p. 147.

A somewhat imperfect representation of the buckler has been given by Professor Daniel Wilson in his *Prehistoric Annals of Scotland*, but the illustrations now published will convey a much more accurate impression of its character and details.¹



FIG. 2.



FIG. 3.

In Fig. 1 the whole of the buckler is shown on the scale of one-sixth linear measure, a section being represented below. A portion of the margin is shown full size in Fig. 2, and the handle across the inner side of the boss is given on the scale of one half in Fig. 3. These figures give so complete an idea of the original, that it seems needless to enter into further details. It is, however, well to call attention to the fact, that the handle of the buckler, which is made from a flat piece of bronze, is rendered more convenient to grasp, and at the same time strengthened, by its sides being doubled over, and thus made to present a rounded edge. It is secured to the shield by a rivet at each end. About mid-way between the edge of the umbo and that of the shield, but placed so that one of the rivets of the

¹ 1st ed. p. 267 ; 2d ed. vol. i. p. 397.

handle is in the same line, and mid-way between them, have been two rivets, each fastening a small button, somewhat like a short hour-hand of a clock, of which, at present, only one remains.

It will now be well to note the occurrence of similar and analogous examples in Scotland and elsewhere. Those which will first occur to the mind of every Scottish Antiquary are the two which were found in 1837 in a marshy field near Yetholm, about eight miles south of Kelso, and which have been described by the late Mr. William T. M'Culloch in the *Proceedings of the Society of Antiquaries of Scotland*.¹ This account is illustrated with woodcuts, exhibiting one of the shields and some of its details, and contains numerous references, of some of which I shall avail myself in the present brief notice.

One of the Yetholm shields is $23\frac{1}{2}$ inches in diameter, and has thirty concentric rows of convex knobs, alternating with projecting circles, or ribs; the other measures 24 inches, and has twenty-four rows of knobs and ribs. In the centre of each is a hollow circular umbo 4 inches in diameter, with a handle riveted across it.

Another shield of the same character was found in March 1870, at Yetholm,² near the place where the two others were discovered. The site appears to have been formerly occupied by a lake, which was drained some forty or fifty years ago. This third Yetholm shield is $22\frac{1}{2}$ inches in diameter, with twenty-nine concentric ribs, alternating with the usual small knobs. The boss is $3\frac{1}{2}$ inches in diameter. At the back of each of these shields, about midway between the centre and the rim, are riveted small movable tongues of bronze, which have been supposed to serve for the attachment of a leather strap, by which the shield might be slung round the body. Mr. Jeffrey, F.S.A. Scot., of Jedburgh, who described this third shield, has, however, pointed out that there is little room beneath the tongues for a strap of any kind.

So far as at present known, these are the only other instances of bucklers of this kind having been discovered in Scotland.

In England and Wales several such have been found. One was in the Meyrick³ collection, at Goodrich Court, and is now in the British Museum. It is about 27 inches in diameter, with nineteen concentric ribs, and circles

¹ Vol. v. p. 165.

² *Proc. Soc. Ant. Scot.*, vol. viii. p. 393.

³ *Archæol.*, vol. xxiii. p. 92. Meyrick's *Anc. Armour*, vol. i. pl. xlvii.

of knobs between, and in all respects like those already described. It was found about 1804, in a turbary near Aberystwith.

Another example of the kind was also in the Meyrick collection, and is now in the British Museum. It was found in a peat moss at Moel Sindbod, near Capel Curig, Caernarvonshire. It has twenty-seven consecutive rings.¹

Sir Samuel Meyrick had heard of another dug up near Newcastle-on-Tyne, which the owner, wishing to gratify all his friends, cut up like a cake, and sent to each a slice.

Fragments of two other shields of the same character were also found in Northumberland, in the parish of Stamfordham, about two miles north of the Roman wall. They were originally about 20 inches in diameter, and, like so many others, were discovered during draining operations.²

Another buckler of the same character was found in the Thames at London, and passed into the British Museum with the Roach Smith collection. This specimen is 21 inches in diameter, and has eleven rings of the small bosses upon it, separated by concentric ribs.³ Another, with twenty-six concentric circles of studs, was dredged up, together with a leaf-shaped bronze sword, from the bed of the Thames, off Woolwich, in 1830.⁴

Another, 26 inches in diameter, having twelve concentric raised rings, with the usual knobs between them, was also found in the Thames, between Hampton and Walton, in September 1864.⁵

In draining a meadow at Bagley, about five miles from Ellesmere, in Shropshire, another of these circular bucklers was found. This is 23 inches in diameter, with an umbo of 4 inches, and has twenty-six concentric circles, with the same rings of knobs between as on the other examples.⁶

Another, found on Barringham Common, Lincolnshire, in 1843, is 26 inches in diameter, with an umbo of $4\frac{1}{2}$ inches, and only nineteen concentric circles, with intermediate rings of knobs. The boss of this shield is conical, rather than hemispherical.⁷ It seems needless to cite other English examples; but I may mention that in some instances the knobs between the raised concentric rings are wanting, and in others they form much more important

¹ *Archæol.*, vol. xxiii. p. 95.

² *Arch. Jour.*, vol. xviii. p. 157.

³ *Horæ feræles*, p. 168. Roach Smith's *Cat. of Lond. Ant.*, p. 80.

⁴ Roach Smith, *ubi sup.*

⁵ *Proc. Soc. Ant.*, 2d series, vol. iii. p. 518; *Gent's Mag.*, Dec. 1865, p. 771.

⁶ *Proc. Soc. Ant.*, 2d series, vol. iii. p. 200.

⁷ *Arch. Assoc. Jour.*, vol. iv. p. 395; *Proc. Soc. Ant.*, 2d series, vol. iii. p. 200; *Proc. Roy. Irish Acad.*, 1874, p. 277.

features. In one found in the River Isis, near Dorchester, Oxon,¹ there are only two rings of knobs, with a raised bead between, though the shield is about 13 inches in diameter. The same is the case with an Irish shield, 14 inches in diameter, from Athenry, county Galway.²

Shields with the numerous concentric rings alternating with small knobs, are rare in Ireland. One, $27\frac{3}{4}$ inches in diameter, with an umbo of 6 inches, and six rings of small knobs alternating with projecting concentric rings, was found in a bog near Ballynamona, county Limerick, and is figured in the *Journal of the Royal Historical and Archaeological Association of Ireland*.³ Like nearly all the others this has the two movable tongues or buttons at the back.

As Mr. Franks has already remarked,⁴ bronze shields are of far less common occurrence on the Continent than in the British Isles. Though in some cases showing the same general character, none of them absolutely resemble the shield which forms the subject of this paper, and it is needless to refer to them.

With regard to the date to be assigned to these bucklers, it is to be observed that the shields which can with some degree of certainty be ascribed to the period when iron swords had begun to be used in Britain are as a rule of elongated form. Such are those from the river Witham and the Thames, which, moreover, are ornamented with coral and the red Celtic enamel. It may also be observed that in the case of the shield dredged up off Woolwich the sword which accompanied it was of bronze. It may be said that the collocation of the shield and sword was accidental, and that there is no actual evidence of their having been deposited in the river at the same time. Still the whole character of the ornamentation and workmanship is more in accordance with the bronze age than with the late Celtic or early iron period, though probably such bucklers belong to the close of the bronze period rather than to its beginning or even middle.

Circular bucklers or targets no doubt remained in use until a considerably later period, but it seems probable that some other material than a thin plate of bronze was used for their manufacture. Professor Wilson⁵ remarks that on the gold coins of Tasciovanus, Cunobeline, and others of the native

¹ *Arch.*, vol. xxvii. p. 298; *Horæ feræles*, p. 167.

⁴ *Horæ feræles*, p. 166.

² *Horæ feræles*, p. 167.

⁵ *Prehistoric Ann. of Scot.*, 2d ed. vol. i. p.

³ 4th Series, vol. ii. p. 118.

398.

rulers contemporary with the first intercourse with Rome, the shields borne by the warriors are either long and double-pointed, or, if round, large and dished, and of very different construction from the Luggtonrigge shield. On one coin of Cunobeline, however (Evans, pl. xii. 14), the horseman bears a circular buckler, which, so far as can be judged from so diminutive a representation as that given on the coin, would be about 2 feet in diameter. On two small gold coins of Verica,¹ recently published, the horseman carries a target of about the same proportions. Somewhat smaller circular bucklers are carried by the horsemen on certain Spanish coins,² probably of the second century B.C. One of these shields shows four smaller bosses arranged in cruciform order around the central boss; another seems to be plain, except the umbo and a projecting rim.

This buckler is no doubt the Cetra or Cætra (*καίτρεα*, Hesych.) in use among the people of Spain and Mauretania, which was usually made of hide, among the latter people sometimes of that of the elephant. Cæsar³ speaks of the "cetratæ Hispaniæ cohortes," and Tacitus⁴ mentions the Britons as armed "ingentibus gladiis sine mucrone et brevibus cetris." It does not appear that the Romans ever wore the cetra,⁵ which has been by Livy compared to the pelta of the Greeks and Macedonians. The clipeus appears to have been larger in size, and to have been held on the arm rather than by the hand only.

But whatever shields may have been in use in this country at the time of the Roman invasion, I am inclined to refer these circular bucklers to a somewhat earlier date, as already, in Cæsar's time, iron was fully in use for swords and for cutting purposes generally; and, as has already been observed, the shields with which the early iron swords are found are of a different form. As is the case with the bronze swords, such bucklers very rarely, if indeed ever, are found accompanying interments; and those discovered seem to have been lost in the water or hidden in bogs, rather than buried as accessories for the dead. The skill requisite for the production of such bucklers must have been great, and the appliances at command by no means contemptible. The whole of the work is *repoussé*, and wrought with the hammer, and not improbably the original sheet of bronze from which a

¹ *Num. Chron.*, N. S., vol. xvii. pl. x. Nos. 7 and 8.

² See *Arch. Journ.*, vol. xiii. p. 187.

³ *Bell. Civ.* i. 39, 48.

⁴ *Agric.* 36.

⁵ See Smith's *Dict. of Ant.*, s. v. "Cetra."

shield was made was considerably less in diameter and also much thicker than the finished shield. To produce so large a casting of such even substance and yet so thin would, I think, be beyond the skill of most modern brassfounders, and there is no appearance in the shields of the metal having been cast in the form in which it now appears.

The presence of the buttons at the back, and the absence of holes for the numerous rivets which would have been necessary for securing a wooden back to these shields, afford an argument against their having been thus strengthened. It may, however, have been the case that some method was known by which a backing of stiff hide could be made to adhere to the bronze. Without such a backing they appear to afford but a poor defence against the stroke of a spear or sword, and even an arrow would find its way through them. Possibly the buttons at the back may have been connected with some system of lining them, but I have not sufficiently studied them to express any decided opinion as to their use. It is to be hoped that future discoveries may throw some light upon this subject.

JOHN EVANS.

NASH MILLS, HEMEL HEMPSTED,
May 1878.



VI.

THE CAPRINGTON HORN.

THE Horn, of which an illustration is here given, was found on the estate of Coilsfield,¹ in the parish of Torbolton, in Kyle, some time before 1654.

It is thus referred to by Sir Robert Gordon in the description of Kyle, given in Bleau's *Atlas*, published at Amsterdam in 1654:—

“In campo ubi decertatum citius incurvus figura sua cornu referens, in primus canovus, multo post annis effusus est, quo comarchi Caprintonii, quorum ædes primariæ nostris Coilsfield dicitur, ad cogendos rusticos suos et operarios utuntur.”²

Defoe says, “A trumpet, resembling a crooked horn, which has a very shrill sound, was dug up in the field of battle, and is still kept in the Laird of Caprington's house called Coilsfield.”³

The writer of the *New Statistical Account* notes that “This horn, so minutely described in Bleau's great work, and by Defoe, is carefully preserved at Caprington Castle.”⁴

¹ *New Statistical Account of Ayrshire*, p. 753.

² Vol. vi. p. 50.

³ *Tour through Britain*, vol. iv. p. 130.

⁴ *Ayrshire*, p. 754.

By permission of Mr. Smith Cuninghame of Caprington, it was exhibited at a meeting of the Society of Antiquaries of Scotland in February 1878.

The horn is 25 inches in length, measuring from the mouthpiece to the aperture along the centre. The circumference, 1 inch from the mouthpiece, is 2 inches. At the lowest band the circumference is almost 8 inches. It is nearly 4 inches across the aperture.

It is the only instance of a bronze horn recorded as having been found in Scotland.

From an analysis made by Professor Stevenson Macadam, the composition of the bronze is as follows :—

Copper	.	.	90·26
Tin	.	.	9·61
Loss	.	.	·13
			<hr/>
			100·00

Bronze trumpets are of very rare occurrence in Britain. Mr. Franks records one found in England.¹ They are not uncommon in Ireland. For an account of the Irish specimens reference may be made to the *Ulster Journal of Archæology*, vol. viii. p. 99.

R. W. COCHRAN-PATRICK.

WOODSIDE, BEITH,
March 1878.

¹ *Horæ Ferales*, pl. xiii. fig. 2.

VII.

THE HUNTERSTON BROOCH.

THIS costly jewel has become very famous, partly from its size and beauty, partly from its bearing two inscriptions in Scandinavian Runes, carved on its back. In fact it is Scotland's richest fibula, and the only one found in that kingdom on which runic staves are cut. I have handled it in the 2nd volume of my folio work "The Old Northern Runic Monuments of Scandinavia and England," and I have there (pp. 589-599) taken pains to give it the prominence which it deserves. To this publication I refer for a mass of details. Afterwards, at the request of the Soc. of Antiquaries of Scotland, to whom I lent my blocks for a reproduction of the colored plates, I shortly spoke of it in their "Proceedings," Vol. 7, Part 2, Edinburgh 1870. It was last publicly exhibited by Colonel Gould Weston, F.S.A., at a meeting of the Soc. of Antiquaries of London, June 15, 1876. See their "Proceedings," Vol. 7, p. 48.

I wisht to engrave this precious old-loom *full size*, from careful casts, and to print it in gold and colors in exact facsimile of the original, for only in this way can we really understand the delicacy of its wonderful workmanship. The kindness of [the, alas, now no longer with us!] Sir James Y. Simpson, Bart., James Drummond, Esq., R.S.A., and Dr. John Stuart, enabled me to carry this wish into execution. The blocks have been admirably drawn for me in Chemitype by my accomlisht artist Prof. J. Magnus Petersen of Cheapinghaven, Denmark, and carefully printed by Herr Thiele of the same capital.

A few words of comment, abridged from the text in my work, may be here permitted.

The Hunterston Brooch was found in the autumn of 1826, on Hunterston, the estate of Robert Hunter, Esq., of Hunter, West Kilbride, Ayrshire, six miles from Largs. It lay near the surface, at the foot of a steep



HUNTERSTON BROOCH.

FRONT.



Figure 1: A blue, circular, textured object with a central vertical slot and decorative elements.



HUNTERSTON BROOCH.

FRONT.



HUNTERSTON BROOCH.

BACK.

cliff, called "The Hawking Craig," three hundred yards from the sea. It is of silver, richly wrought with gold filigree, is set with amber, and has suffered no very great damage, save that the point of the pin is broken off. Its style and workmanship is Kelto-Northumbrian or Carolingian, whose rudiments go back to the fifth and sixth centuries and even earlier, and may be termed Scando-Keltic or Anglo-Frankic or Romano-British, being in fact common to the high art of most of the western European countries in the earliest middle-age. But these rudiments are here developed, and the fibula may date from the 8th year-hundred, possibly the 9th. Being found on Scottish soil, it may be of Scottish manufacture; but it may also have come from afar, and may claim another, perhaps Northumbrian or Irish, origin.

The runic risting seems to have been added later, and points to the Ile of Man or its neighborhood. In Prof. Daniel Wilson's "Prehistoric Annals of Scotland," 2nd ed., 8vo, London 1863, Vol. 2, pp. 267-277, will be found a good digest of the earlier readings of the letters. These readings failed chiefly from being founded on bad facsimiles of the runes. Prof. Wilson's own version must be rejected also, not only because it is based on a false assumption—(that the language is Keltic)—but because he handles the staves themselves much too freely, and allows himself liberties that cannot be approved. Four letters he omits altogether. The beautiful but far from exact engravings of this brooch given by Prof. Wilson are on the title plate to his 2nd volume. They have been repeated in Dr. Stuart's noble "Sculptured Stones of Scotland," Pl. 12.

In the cartouches *afterwards* filled with runes, we see the small roundlets which are the neatly hammered and almost obliterated marks of the tiny silver rivets here used by the jeweler. The epigraphs themselves are in *two different runic hands*. After the last word on the right (OLFRITI), there was more than *a quarter of an inch* to spare. This has been filled in with five upright lines, all straight. The same person has crowded the room below with a rude chevron, often nearly straight lines.

The first who wrote his name on this piece was MALBRITHA. He did it thus (unloosing the bind or monogram for AR:)

MALBRIþA A TALK, þœLR I LARI.

MALBRITHA OWETH (*owns, possesses*) this DALK (*brooch*), THYLE (*Speaker, Lawman*) IN LAR.

Observe the peculiar type for B here, so common on the Manx and other West-Scottish runic stones, so rare in the Scandinavian homeland.

We do not know the exact legal or priestly office in olden times filled by the THYLE, which word also signified Orator and Poet. This is the *third* time it has been found on a runic monument; and here it is on an object undoubtedly owned by a Northman, or a man of Northern descent, settled in the Ile of Man or in the south-west of Scotland. But neither do we certainly know whether this term THYLE continued to be used in Christian days, like so many others first found in connection with heathendom. The Northmen in Scotland and the Ile of Man, &c.—the *second* flow of Northmen, the Wikings and their followers—adopted the Christian faith at a very early period, in Man probably by the year 950. The older Keltic population of Man was Christian, or partly Christian, as early as the 5th century.

Where LAR was or is I do not know. Unhappily we have no such County Atlas (with its splendid Index) of *Scotland* or of *Ireland*—which possibly might help us—as we have of England by Mr. Philips, assisted by Mr. Edward Weller.

That a Keltic name (MALBRITHA) should have been borne by a Scandinavian, is not surprising. The Manx runic stones offer many other instances, and so does all our older history. In ancient times many Icelanders had names originally Keltic. Such things always happen from intermarriages, friendship and other causes.

A runic grave cross in the Ile of Man (Plate I. fig. 1, *a* and *b*, in the late Rev. J. G. Cumming's "Runic and other Monumental Remains of the Ile of Man," 4to, London, 1857, and re-engraved by me at p. 597 of my Old N. Run. Mon.), at Kirk Michael, was raised by one MAILBRIKTI (a mere local variation of MALBRITHA) SON OF ATHAKAN, SMITH (*artist*). It is not impossible that we may here have the same person, or a man of the same family, the more as the stone (like the brooch inscription itself) dates from the tenth century. But the name (also MAOLBRIGDA, MAELBRIGD, MAELBRIGTE, &c. &c., all meaning *the servant of St. Bridget*) was common.

The second person whose name is here carved is perhaps a Lady. At this time the nominal forms are so slurred and careless, that we often cannot at once say (where there is no determining context) whether a particular name is masculine or feminine. The runes, again unbinding the monograms (AL and AO), say :

TOALK A OLFRITI.

This DALK (brooch) OWES (hath, belongs to) OLFRITI.

The former risting had TALK. (As the later or Scandinavian or shorter runic Futhork—stave-row or alphabet—had no D, T stood for both T and D; the word is therefore DALK.) But the second hand has written TOALK (= DOALK), a mere difference of dialectic sound, either from distance of place or lapse of time.

This then, and only this, is, as far as I can see, the real meaning of the Scandinavian (probably Manx) runes cut on this valuable ornament.

GEORGE STEPHENS.

CHEAPINGHAVEN, DENMARK,
1878.

VIII.

NOTES ON SOME AYRSHIRE EXAMPLES OF POTTERY, SUPPOSED TO BE MEDIÆVAL.

It must be understood that the term mediæval is employed in connection with these examples only provisionally, and not with the intention of conveying any opinion as to their exact age. They are not likely to be either prehistoric or modern; and in the present state of our knowledge of the history of the ceramic art in Scotland no other epithet suggests itself as more appropriate.

The only record we have of the discovery of the Jug represented in Fig. 1 is the following, which occurs in the *New Statistical Account* of the Parish of Dalrymple, by the late Rev. Robert Wallace:—"A pitcher of earthenware, like that represented in prints in the hand of the woman of Samaria at the Well at Sychar, was found at Perclewan . . . in 1833. . . . The pitcher is glazed, and of a greenish colour, and has the figure of a man's face and hands on the front in relief."¹

The dimensions of this jug are as follows:—Height, 13 inches; diameter at mouth, $4\frac{3}{4}$ inches; diameter at base, $5\frac{3}{4}$ inches; and greatest circumference 26 inches. The clay is of a coarse kind, and the walls are of unequal thickness. Both workmanship and ornamentation are alike rude, though there is evidence that it has been made on the wheel. Its mouth has a small spout, almost but not quite below which is a bearded face of very primitive design, with the lower part broken off. Round the edges of the beard, which is otherwise quite smooth, are straight markings, made apparently with the thumb-nail. The hands, rudely formed by the same

¹ *New Statistical Account of Scotland, Ayrshire*, p. 279.

means, rest on the sides, with the arms bent outwards. The slightly-curved handle is of considerable thickness, and furrowed by three or four shallow and narrow parallel grooves that, at its lower end, give place to one of much greater breadth, on either side of which are two large circular marks; all



FIG. 1.—Earthenware Jug, found at Perclewan, Dalrymple. Scale $\frac{1}{2}$.

three depressions seeming as if formed by the thumb. Round and beneath the bottom's edge is a series of markings that look as if made by applying the thumb and the joint of the bent fore-finger. A slightly-raised, circular, unglazed patch covers about half the surface of the bottom. The whole vessel has a greenish hue, and is glazed, except where the body, from the neck downwards about half-way, is traversed by eight nearly parallel, slightly raised, dark bands, the surface of which is rough, and studded each by a single row of slight prominences. These bands have the appearance of being the

result of some attempt at ornamentation, now partially destroyed, which had been attached by some means to the body of the pitcher after the latter was made and glazed all over; for here and there in the bands what seems to be the original glazed surface is still to be seen. One portion of the lower surface is covered by an irregularly shaped patch, of a darker colour than the rest.¹

Prof. D. Wilson speaks of the Dalrymple pitcher as bearing a close resemblance to one discovered in 1841 in London, under the foundation of a house in Cateaton Street, City, and figured in the *Journal of the Archaeological Association*.² A comparison of the two figures, however, will show that, except in shape, the resemblance is but distant.

Among what remains of the Museum of the Ayr Mechanics' Institution, mentioned on a preceding page,³ are some fragments of green-glazed pottery. These, which were presumably, though not to a certainty, found in Ayrshire—for the labels have been lost—remind one, in some respects, of the Dalrymple jug. The fictile vessel or vessels of which they are portions seem to have been quite as rude in design, but the workmanship is better and the paste finer.

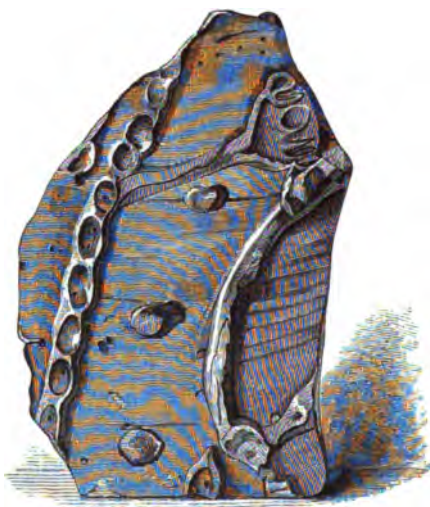


FIG. 2.—Fragment of a Jar, formerly in Ayr Mechanics' Museum. Scale $\frac{1}{4}$.

Fig. 2 represents a fragment of the body of a jar, showing what may

¹ The engraving, being from a photograph, ed.), p. 678; *Jour. Archaeol. Assoc.*, vol. iii. does not show this and some other markings. p. 63.

² Wilson, *Prehistoric Annals of Scotland* (1st ed.) See p. 38.

be intended to stand for an arm and a hand, and decorated with ornamented raised bands and button-like knobs.



FIG. 3.



FIG. 4.

Fragments of a Handle and of the Mouth of a Jug, formerly in Ayr Mechanics' Museum. Scale $\frac{1}{4}$.

Fig. 3 shows the handle of the same, or of a similar jug, and Fig. 4 the spout formed into a head, which seems to have been bearded and notched, as in Fig. 1, though but little of the beard remains.

Fig. 5 is apparently a portion of the lower part of some shallow vessel, the sides and bottom of which were inclined at an angle of about 160° . This vessel had likewise been covered with a green glaze. There are also among the wreck of the Museum portions of another similar vessel that had been ornamented round the bottom with thumb-like markings like those as seen in the last Figure.



FIG. 5.—Fragment of a Fictile Vessel, formerly in the Ayr Mechanics' Museum. Scale $\frac{1}{4}$.

Fig. 6 shows a small-sized but tastefully-shaped jug. All we know of its history is told in the following extract from the last *Statistical Account* of the Parish of Ayr :—" We have seen a very antique Tuscan-shaped pitcher, in possession of a gentleman in Ayr, that was found many years ago in the Townhead Quarry, thirty or forty feet under the present surface of the ground, along with a kettle that has since been lost.

What is somewhat remarkable, the pitcher, when found, was filled with sea-shells, and has the appearance of having been glazed, which has been thought



FIG. 6.—Jug found in the Townhead Quarry, Ayr.
Scale $\frac{1}{4}$.

to militate against its claims to a Roman origin. We believe, however, it has been pretty clearly ascertained that the Romans were well acquainted with the art of glazing. The above quarry lies along the line, as we have said, in which the old Roman road must have passed, and a relic of this kind, so far underground, unless it had been placed there by some contingency beyond the usual course of affairs, carries along with it some plausible reasons for believing it of *ancient* manufacture.”¹

On enquiry it was ascertained that the gentleman referred to was the late James Morris, Esq., who, subsequent to the date at which the notice was written (1837), had presented the jug to his friend Thomas F. Smith, Esq., the present Provost of Dumfries. By the obliging courtesy of the latter it was forwarded to Ayr for the purpose of being described and figured here. A very good idea of it can be got from the illustration. Its height is $5\frac{3}{10}$ inches; diameter at the mouth 2 inches and at the base $2\frac{3}{10}$ inches. The surface had been once quite smooth, and covered with a dark-green glaze; but, except a few small patches on the neck and handle, this is now all worn off. The upper surface of the latter is broadly but not very deeply grooved, and the vessel had been surrounded at the lower part of the neck by a narrow band. Its present appearance gives evidence that its whole surface has been subjected to some corroding influence.

The Townhead Quarry, where this jug was found, was long one of the chief sources of the supply of building materials for the town of Ayr, but was filled up about 1839, on the formation of the present railway station, which stands on its site.

JAMES MACDONALD.

Ayr, May 1878.

¹ *New Statistical Account of Scotland, Ayrshire*, p. 40.

IX.

THE HERALDRY OF WIGTOWNSHIRE.

INTRODUCTORY.

IN commencing a series of the armorial bearings of landowners in Wigtownshire, a few words are necessary, explanatory of the authority by which they are warranted.

The undoubtedly paramount authority in all Scottish heraldry, by which its conspicuous purity and simplicity have been preserved, is the Lyon King-of-Arms; on whom alone the power of granting, inspecting, and matriculating arms, and distinguishing them by proper marks of cadency, was conferred by the Statute 1592, c. 125.¹ These powers were confirmed and extended by the Statute 1672, c. 21,² and were secured on him by the 19th Article of the Treaty of Union. He is therefore the sole judge and arbiter in heraldry (under the Sovereign, the sole fountain of honour), although he cannot deprive any one of his coat of arms, nor infringe the rights of any gentleman by conferring his arms upon another.

The Register of the Lyon Office ought therefore to be the only source of authoritative information on Scottish heraldry; but it is unfortunately incomplete. Part of the Records is said to have been lost at sea in 1661, while being conveyed back to Edinburgh from London, whither they had been taken during the Commonwealth; and another portion is said to have been destroyed by fire about 1670.

The Act of 1672, in order to repair the losses caused by these disasters, enjoins all nobles and gentry to register their arms in the Office of the Lord Lyon, under pain of confiscation of all goods on which unregistered arms should be depicted.

The majority of the nobles and gentry conformed to this decree; but it

¹ *Act. Parl. Scot.* (folio edit.), vol. iii. p. 554., c. 29. ² *Ibid.* vol. viii. p. 95, c. 47.

is to be regretted that to this day many of the most ancient and honourable families, as well as cadets of houses setting up as landed proprietors, have neglected to do so. However, as there can be little doubt that the arms of such families were included in the lost Registers, the writer has no hesitation in accepting the best authority, failing the Lyon Office, that may be available in such cases.

There is much greater difficulty in dealing with those cadets, or descendants of cadets, of noble or gentle families, who have acquired lands and become heads of families, without acquiring a patent from the Lyon King for arms duly differenced. It would be presumption in a high and illegal degree for an amateur to add abatements to the family coat according to his fancy ; and the abatements for younger sons are temporary brisures, and cannot be handed down from father to son. Lastly, it should be understood that the right to the family coat, without abatement, is vested *solely* in the existing head of the family.

There is one common error to which it may be well to allude, and that is the confusion which exists in many persons' minds as to the difference between a "coat-of-arms" and a "genealogical pennon." In the former should be found only the bearings of the family, augmented it may be by quarterings of arms inherited with land, or granted as an honourable augmentation, or included in the shield, under patent, for some such cogent reason. As a rule, the fewer quarterings carried the better, both to avoid confusion and because the multiplication of quarterings tends to abate the dignity of the original coat. Indeed, for that reason, the arms of several good houses do not include some of the quarterings which they at one time carried, or were entitled to carry. The observance of this rule has tended to that simplicity which distinguishes the heraldry of Great Britain from that of some continental nations. In a genealogical pennon are represented the arms of every family whose blood runs in the veins of the bearer, and it is certainly neither in good taste nor heraldically correct to display such an achievement as a coat of arms.



The Arms of Galloway.

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2. 2. 2. 2. 2.

3. 3. 3. 3. 3.

4. 4. 4. 4. 4.

5. 5. 5. 5. 5.

6. 6. 6. 6. 6.

7. 7. 7. 7. 7.

8. 8. 8. 8. 8.

9. 9. 9. 9. 9.

10. 10. 10. 10. 10.

PLATE I.—THE ARMS OF THE PROVINCE OF GALLOWAY.

BLAZON—

Azure, a lion rampant argent; armed and langued gules; crowned with an antique crown, or.

Over the shield is placed an antique crown; and behind it are disposed in saltire a sword and sceptre.

NOTE.—Sir David Lindsay and Nisbet give this ancient coat without the external ornaments. It is uncertain when they were added, but they have been used since the latter part of the last century at all events. These arms were formerly quartered with the paternal coat of Douglas, Lord of Galloway, but have never been assumed by the Stewarts, Earls of Galloway.

PLATE II.—THE ARMS OF THE RIGHT HONOURABLE SIR JOHN DALRYMPLE, Earl of Stair, Viscount of Stair and Dalrymple; Baron Newliston, Glenluce, and Stranraer, in the Peerage of Scotland; Baron Orenfoord, of Cousland, Edinburgh, in the Peerage of the United Kingdom; a Baronet of Nova Scotia; Knight of the Thistle; Lord Lieutenant for the Counties of Ayr and Wigtown.

BLAZON—

Quarterly, 1st and 4th or, on a saltire, azure, nine lozenges of the field—for Dalrymple.

2d and 3d or, a chevron cheque, argent and sable, between three water bougets of the third—for Ross of Balniel.

Crest—A rock proper. Motto—Firm. Supporters—Two lions gules.

Round the shield is disposed the collar and pendant of the Order of the Thistle.

NOTE.—This coat of arms is here given (with the addition of the supporters now borne) as registered by Sir James Dalrymple, Bart., who was afterwards created Viscount Stair; and no subsequent registration has been made, although several families and properties have become merged by marriage and inheritance. Sir William Dalrymple of Cousland registered his arms in 1720—

Quarterly 1st and 4th, Dalrymple, with a water bouget sable, in chief, for difference.

2d and 3d sable, a cross fleury, between four escallops argent, for Fletcher.

The supporters are differently given by various authorities. Douglas gives two lions proper; Nisbet, in the text, gives two storks proper, but in the engraving which he gives of the Earl of Stair's arms, the supporters are two lions gules. None are registered in the Lyon Office. The present writer has seen the supporters gules in some old embroidery, and has therefore followed it and Nisbet's engraving.

His lordship's arms are first in precedence of the County, as Lord Lieutenant thereof.

HERBERT MAXWELL.

THE AIRLOUR, WIGTOWNSHIRE,

June 1878.

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John, Earl of Stair.

X.

REMARKS ON THE EXISTING BUILDINGS AT KILWINNING ABBEY,

WITH SPECIAL REFERENCE TO THE ACCOMPANYING PLATES.

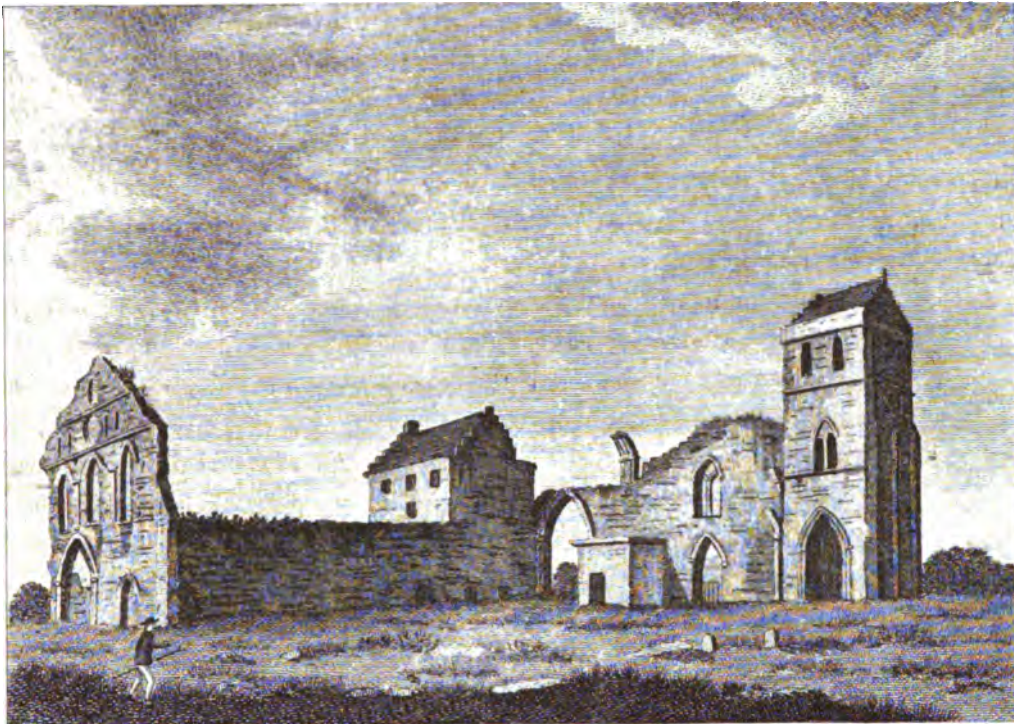
PLATE I.

BEFORE describing this Plate, it may not be inappropriate to make some brief allusions to the Abbey in general. The ruins of this ancient structure serve rather to illustrate the vicissitudes through which it must necessarily have passed, than to convey any just idea of its original extent. It will indeed be noticed from the ground-plan that, with the exception of the south transept gable, which is too massive to be easily demolished, the only parts of the building permitted to remain, are those serving the utilitarian purpose of boundary-walls to the comparatively modern churchyard. This is strictly the case with the western gable and its connected piers ; until a recent period the Bell-house floor having been entirely open, and never at any time included within the limits of the burying-ground. So also with the southern wall of the nave, which forms the only line of demarcation between the churchyard and the private properties occupying the site of the cloisters. The same remark holds good of the walls to the east, indicating the site of the monastic buildings. It must also be remembered that, owing to the accumulation of soil and debris, the walls of the Chapter-house and slype, shown in the plan, have long been, and still to a great extent are, buried beneath the ground. With these exceptions, all the other parts of the Abbey Church and its connected buildings have been ruthlessly swept away. To reward the labour of excavation even, only a few lines of foundation remain, by which the original ground-plan may be traced.

In its original state then, Kilwinning was a Cross church, about 225 feet in extreme length internally, 64 to 65 feet in breadth at the nave, and 98 feet at the transepts. The nave had north and south aisles throughout its entire length, the transepts had eastern aisles only, and there was a small chancel, about 30 feet in breadth, without aisles.

To be a Scottish building the formation of the western extremity was peculiar. The remaining indications are very slight and difficult to trace, but there can be no reasonable doubt that the building, as at first constructed, terminated in two western towers, having a slight projection beyond the line of the nave walls north and south. Western towers, whether in cathedral or monastery churches, are by no means unusual in Scotland. Of the first, the cathedral at Elgin, and St. Machar's at Aberdeen, may be instanced; the abbeys at Dunfermline, Arbroath, and Holyrood are examples of the second. Whether included within the body of the building, or projecting externally, the great majority of Scottish towers, however, rise from a massive substructure, pierced at the most by a doorway, and forming structurally independent parts of the building. Kilwinning was quite an exception to the national practice in this respect; and to this fact is due, to a great extent, the disappearance of the towers referred to, and the ruin of the western extremity of the building as it must have existed in the twelfth and thirteenth centuries. In the interior of the building the towers were pierced by lofty arches opening on the central and side aisles of the nave. Those opening on the side aisles—of which the southmost only remains—were over twenty feet from the floor to the apex, and probably rose to the same height as the main arcade. If the arches opening on the centre of the nave were, as is extremely probable, of the same proportions as those at the side aisles, they must have risen to the height of forty-three feet from the floor to the apex, and included not only the main arcade but also the triforium. The result of this arrangement was, that a large additional space would be included within the area of the church, giving a narthex or galilee of from seventy to eighty feet in breadth at the western end. Although by no means uncommon in England, the arrangement referred to is, so far as I am aware, unique in Scotland. The nearest approximation to it is in the abbey at Arbroath, where there are the remains of western towers in the same position, pierced also by arches on both sides internally. These arches are, however, of equal size, and relatively small, so that, although access

was thereby freely obtained to the space beneath the towers, it can scarcely have served the same purpose as at Kilwinning. Of the towers at the latter place, the lower part of the southmost only remains, including the tower-pier at the north-east angle, the aisle-arch, part of the south wall, and the foundations of the western wall and respond. The northmost tower was in existence so late as 1814; but of the two it has really been the more unfortunate. Struck by lightning on the 2d of August 1809, the greater part of it fell just five years after-



wards. What remained was blown up with gunpowder, and rooted out even to the foundations, so that not a single stone is now left to indicate either its position or character. Happily materials still exist, slight indeed, but sufficient to give an idea of its original appearance, and specially important as bearing independent testimony to the construction of the Abbey at its western extremity. In the accompanying views, photolithographed from old engravings, this north-west tower is shown in three successive stages.

There is first, the view taken by Captain Grose in 1789, illustrating his notice of Kilwinning Abbey.¹

This view is taken from the north-east, and in its ruined state shows the interior of the building, and particularly that of the west front and tower. The arch in the tower, which opened upon the north aisle, corresponding to that still existing on the south, is distinctly represented; also a portion of the north tower-pier, and the springing of the arch above it; also the shafting and springing of the triforium arch. A little to the south of the western entrance and window over it will be noticed a cluster of columns and a portion of an arch standing above the ragged outline of the building. This, in all probability, represents a portion of the clerestory, now entirely demolished, and which cannot have long existed in so precarious a position. It will be observed also that the mullion of the window is still complete. The tower itself is finished off with crow-stepped gables, and a saddle-back roof; a mode of terminating a tower common enough in Scotland, although comparatively rare in England.

Captain Grose mentions that in 1789 this tower was being repaired by the Earl of Eglinton, and it was probably at this period, or immediately after his drawing was made, that the spire, battlements, and pinnacles represented in the second view were added.

The next view appeared originally in the *Edinburgh Magazine* for April 1802, and is stated to have been engraved "from a drawing taken on the spot by Mr. Denholm of Glasgow."² The building is represented from an opposite point to the last, or the north-west, thus showing the exterior of the tower, and, in so far as visible, the west front. The tower is buttressed at the angles, and so exactly agreeing with the foundations laid bare in the Green.³ These buttresses rise the full height of the tower, and it will be noticed that smaller buttresses, rising up two-thirds of the height, are placed in the centre. The upper stage above these centre buttresses is pierced by two windows. This arrangement is quite in harmony with the view made by Captain Grose, as may be seen from the north or shaded side of the tower, as given by him. Owing to the demolition of

¹ *Antiq. of Scot.*, vol. ii. pp. 212-214. Captain Grose has taken an artist's liberty with the south transept gable, having twisted it round so as to bring the exterior into view, and inserted an arch, which certainly does not exist in the original.

² I am indebted for this identification to David Laing, Esq., LL.D., of the Signet Library, Edinburgh.

³ *Vide* p. 100 *infra*.

the main walls abutting upon them, on its eastern and southern sides the tower would of course be deprived of the natural buttressing which these walls provided. If to this we add that on these two sides the lower part of the tower was hung entirely on large piers and arches, it will easily be understood how at the last it should have collapsed so suddenly, and fallen chiefly across the Bell-house floor, demolishing a house situated towards the south.



In the view a small part of the present parish church is seen towards the left. To the right of the tower rises the south transept gable, and a little beyond it a small pinnacle, marking the position of the parish school, erected in 1800, and now used as a mission hall.

The third view represents the tower in its final stage, before the north-east corner was blown up with gunpowder. This view is photo-lithographed from the engraving which appeared originally in the *Scots Magazine* for October 1814, as an illustration to a "Description of Kil-

winning Steeple, with an account of its recent fall." At the close of the notice it is stated that "The view here given is taken from the S. by E., and includes in it the remains of part of an antient place of worship connected with the Abbey, esteemed a beautiful specimen of church architecture, and still retains marks of strength and durability."¹



This reference is of course to the south transept gable, which appears in the foreground, although in relatively very much reduced dimensions. By a close inspection of the remaining battlements of the tower, it will be noticed, that even in its state of final ruin, the Papingo is represented as projecting from its summit.

I cannot close my remarks on this north-west tower, which stood so long, and yet has so completely disappeared, without expressing my extreme regret that the under portion, or, indeed, all of it that would have stood securely, should not have been permitted to remain, even in a state of ruin. Without the slightest hesitation or dubiety, points could then have been determined, or information gathered, only now to be obtained partially, and with great trouble, by tracing the long buried foundations of the companion tower beneath the walls, the floors, and the passages of adjoining properties.

¹ *Vide Scots Magazine*, vol. lxxvi. pp. 723, 724.

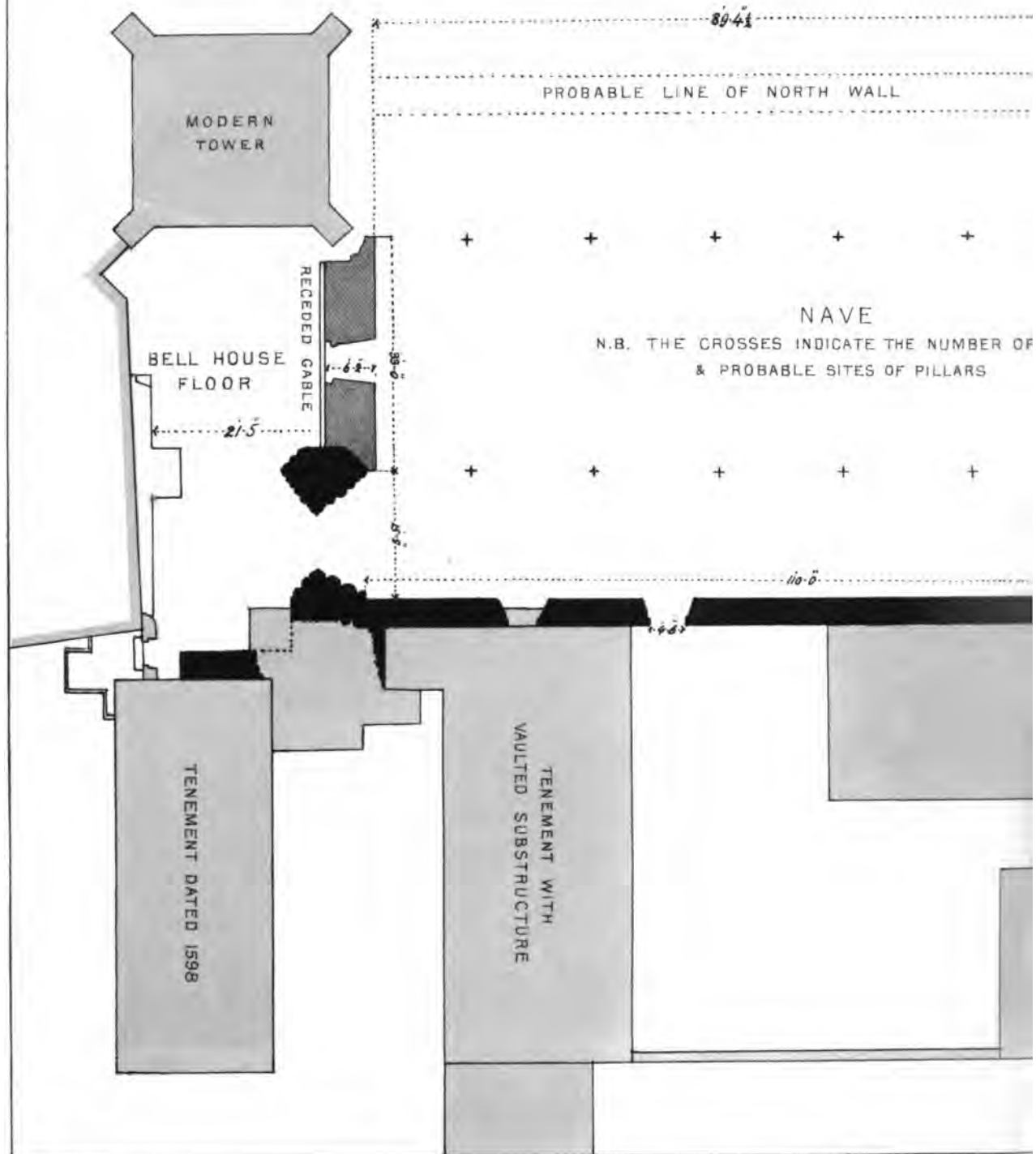
From this digression on a now obliterated portion of the structure, returning to remains still in existence, there can be no doubt the south-west tower must have been demolished at a comparatively early period. It is indeed evident that, owing to some important events of which there is no trace in history, the original fabric of the Abbey was subjected to some very serious injury. It may be inferred, not unreasonably, that this destruction took place during the Wars of Independence, when, in common with the south and west of Scotland, Ayrshire was overrun by the English armies. Whatever was the cause, it involved the demolition of the original west front and south tower. When the Abbey was reconstructed, probably owing to diminished resources, instead of rebuilding the original façade, or even turning its foundations to account, it was found to be the simplest plan to insert a massive gable, over six feet in thickness, between the two eastern tower-piers, so receding the west front nearly thirty feet, and leaving the north tower with its great open nave-arch projecting externally, a state of things which actually continued down to the beginning of the present century. Except on a supposition like that just mentioned, the existence of an open arch of such dimensions would be an utter anomaly; and the inserted gable itself bears evidence that the formation on the north side must have been exactly similar to that on the south. At the north end, where it was built up against the tower-pier, the outline of every shaft and moulding, with that of the base, all in reverse of course, is still remaining, showing that, in 1814, a pier corresponding exactly to that on the south must have been demolished. In addition to this evidence, the foundations of the southern half of the west front have been recently laid bare, including a small portion of the ingoing of the central doorway, and so completely establishing the view just stated.

In its reduced form the church was about 195 feet in length, of which the nave occupied 110 feet. From the corbels still remaining in the south wall, the nave appears to have been divided into seven bays; but whether these correspond with the original division, owing to the impossibility of making excavations within its area, it is of course at present impossible to tell. In the south wall of the nave are two doorways, about 4 feet 6 inches in width and 14 feet apart. The westmost of these is blocked up, and has evidently been so, since the erection of the vaulted tenement abutting upon this part of the wall. From certain indications, the probability is that the cloisters originally extended right up to the south-west tower, thus includ-

ing the entire length of the nave. The erection of the tenement referred to must have considerably reduced their area, and, if it did not previously exist, necessitated the opening up of a new doorway entering upon what would then be the west cloister walk. Close to the south transept there is a highly ornamental doorway, which would form the principal means of communication between the cloisters and the church. This doorway will be found fully illustrated in Plates V. and VI. Close to it, but in the south transept wall, there has been another plain arched opening or doorway, now blocked up and turned to account as a coal cellar. On clearing the soil down to the original floor-level, another doorway was found in the south-west angle of the transept. This doorway gave access to the circular staircase which ran right up to the roof, and communicated with the various galleries at the triforium and clerestory levels. There is, however, only a small portion of the stair remaining. The foundations of the eastern wall of this transept were also laid bare, and the piers of the aisle-arches cleared to the floor. It is only with reluctance that we are compelled to postpone any illustrations of these beautiful arches, and the finely proportioned south transept gable. To the ruins as they exist this gable holds the place of Hamlet in the play of Hamlet, and without it an architectural description of Kilwinning Abbey is necessarily incomplete. Soaring to the height of ninety feet, and presenting no ostensible means of access, it was felt that to do justice to it, and make for the first time an accurate and reliable survey, appliances were requisite which could not be available in the time at disposal. For the present, then, we can only recall to the recollection of the reader the admirable engraving of this gable given by Billings in his *Baronial and Ecclesiastical Antiquities of Scotland*.

From the plan it will be seen that the south transept, including the aisle, has been 46 feet 3 inches in width. Of its eastern wall, and indeed of all the walls traceable from this point to the east and north, only a few courses of the basement remain. From the line of masonry being continued along the north end of the aisle it would appear that it was not open to the chancel, which would thus be continued right onward to the great south-east pier, as shown in the plan by the dotted lines. On the foundations of this pier, and upon those of the wall closing the end of the aisle, and the south and east walls of the chancel, the present parish church is in so far built. It thus marks the extreme limit of the Abbey to the east; but owing to its greater extension towards the north, the north wall of the chancel and the east wall of the

KILWINNING ABBEY, GROUND PLAN.



W. Galloway, Mens. et Del.

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north transept fall entirely within its area. It has already been mentioned that the chancel was comparatively narrow. The angles had terminated in massive buttresses, but even over their extreme basement lines the breadth was only 42 feet 6 inches, while internally it cannot have been more than 30 feet.

One of the most interesting discoveries recently made was the foundations of the north transept gable. All knowledge of its exact position seems to have been lost; but, on the assumption that it would occupy a corresponding position to that upon the south, the ground was opened up with the most satisfactory results. True, only two or three of the lowermost basement courses remain, and many points upon which we would desire information must thus be left entirely indeterminate, but we are thereby enabled to fix the leading features of the gable unmistakably. In general dimensions it agreed of course with that upon the south. It had a turret staircase at the north-west angle, and also an eastern aisle. The leading point of difference was a large porch projecting externally from the centre of the gable, and measuring over the basement about 25 feet 6 inches. The doorway must have entered close upon the respond of the aisle arch, of which a course or two still remains. Extensive excavations were also made in front of the present church, in the hope of getting traces of the piers at the central crossing. The hewn work was found, however, to have been entirely removed; but foundations, of the broadest and most massive character, still exist, leaving, I think, little doubt that in addition to the western towers there must also have been a central tower, for the piers of which this broad plateau of masonry was laid.

It is extremely to be regretted that no examination could be made in the direction of the nave. It must be remembered that not only the precincts of the building, but also its entire area, have for the last two hundred years been made use of as a burial-ground, and this not in open soil, but simply in the accumulated rubbish and debris of the fallen buildings, which lies seven or eight feet deep above the old floor. The result, it may safely be said, is, that this entire mass of stones, lime, and human remains might be cleared away, and it would be found that not a single interment had taken place below the original floor-level.

In this general sketch it is unnecessary to make any allusion to the individual parts of the building illustrated in the succeeding plates. It will

easily be seen that all we can know of Kilwinning Abbey must ever be, in the strictest sense, fragmentary. Enough, however, remains to show that, unlike many other ecclesiastical structures, which were the slow growth of successive ages, it was characterised by complete unity of design, and that its first condition was undoubtedly its best. Subject to slight but necessary variations, the plan in all its leading outlines is quite symmetrical, and, buried though it must have been for many ages, wherever the basement has been uncovered the same arrangement of massive splays and base-courses presents itself from one extremity of the building to the other. The inserted west front, which may be a work probably of the fourteenth century, proves unmistakably at how early a period the Abbey must have been extensively ruined, and that from the injuries then inflicted it never really recovered. As due to the munificent patronage of the De Morvilles, Lords of Cuninghame, and Great Constables of Scotland, as a historic monument of this distinguished family, one thing is clear, that in the twelfth and thirteenth centuries Kilwinning must have been one of the noblest structures in the west of Scotland, second only to, if in its first erection it did not even surpass, the Abbey founded by the Stuarts at Paisley, or the Cathedral at Glasgow. As they now exist, both of these structures have the advantage of it in length—Glasgow Cathedral, including the Lady Chapel, being about sixty feet longer internally, Paisley half that amount; but in the breadth, both at nave and transepts, Kilwinning exceeded both of them. Even the Cathedral at St. Andrews, 358 feet in interior length, and the largest of all our ecclesiastical buildings, also fell short of it in breadth; while at Dryburgh the dimensions are considerably less every way.

It may also be mentioned that it was exactly one-half the interior length of Salisbury Cathedral. The western extremity of the nave at Westminster Abbey terminates in precisely the same manner as at Kilwinning, the towers being carried internally on piers and lofty arches. Although the two buildings are not to be compared either in length or general dimensions, in the breadth at the nave the advantage of Westminster is very slight indeed, while in the Scottish example the piers which carried the western towers were much more massive and imposing; more massive even than those supporting the central tower in England's famous shrine.

WILLIAM GALLOWAY.

EDINBURGH, *May* 1878.

PLATE II.

PLATE II.

ON this Plate are shown the plans of the great western tower-pier and respond, with the cap and base-moulds, and mason-marks. This part of the structure is of interest not only for what it is in itself, but also for what it proves must of necessity have been the construction of the west end of the Abbey. This tower-pier, so massive in its proportions, and measuring 11 feet by 9, was only one of two which stood on either side of the nave, and, with the arches which sprang from them, the corresponding responds, side and front walls, formed the substructure of towers which must have been the leading features in the great western façade. With this general fact, however, we must remain content; all other details have perished. Excavations made in the Bell-house floor, and also in the Green, show that the western side of these towers was in a line with the centre of the façade, and that, in keeping with the rest of the building, massive buttresses rose at the several angles. On lifting the pavement in front of the present doorway from the Green, the foundations of the buttresses at the extreme south-west angle were found in perfect preservation. The gable of the tenement, marked on the plan as being dated 1598, is built partly on these buttresses and partly on the southern wall of the tower, while the gable of the tenement running westwards finds an equally secure footing on the main west wall of the church. This close proximity of the adjoining dwellings, and the manner in which the old walls have been turned to every available account, the most interesting parts lying buried under foundations or beneath floors, renders the work of exploration, where not impossible, extremely difficult. At the south-west angle internally, there is a small recess with the spring of a vault still remaining. This was evidently the entrance to a staircase, by which access would be gained to the tower, and I believe that the staircase in the north tower occupied a corresponding position. The plan of the western extremity of the building would thus be characterised by complete symmetry, although it by no means follows that the towers themselves would be carried to their full height. They very seldom were so; and it is extremely probable that, in the north tower at least, the upper part, and certainly the spire, were the additions of a later age.

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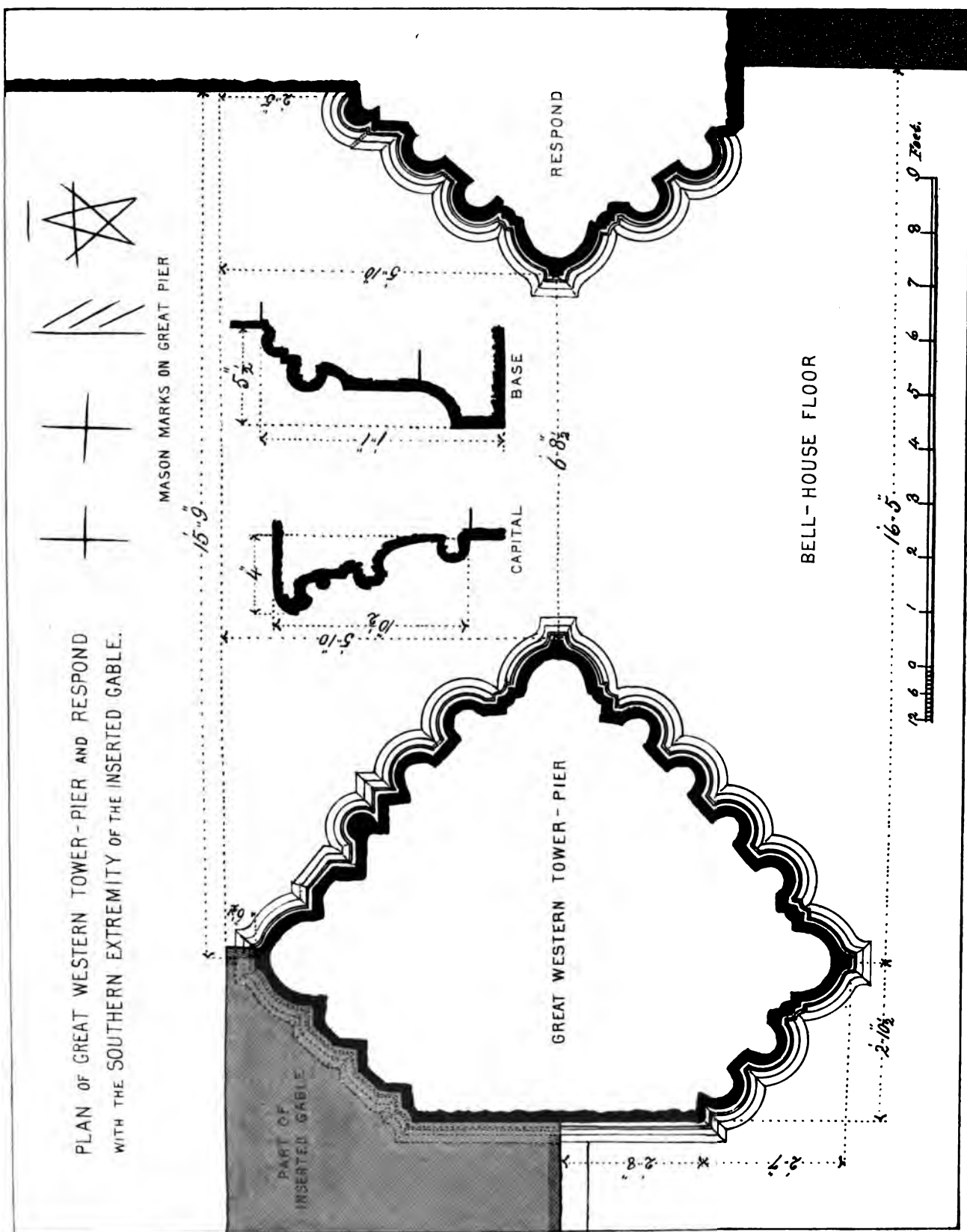
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W Galloway, Mens. et Del.



W. Galloway. Mens. et Del.

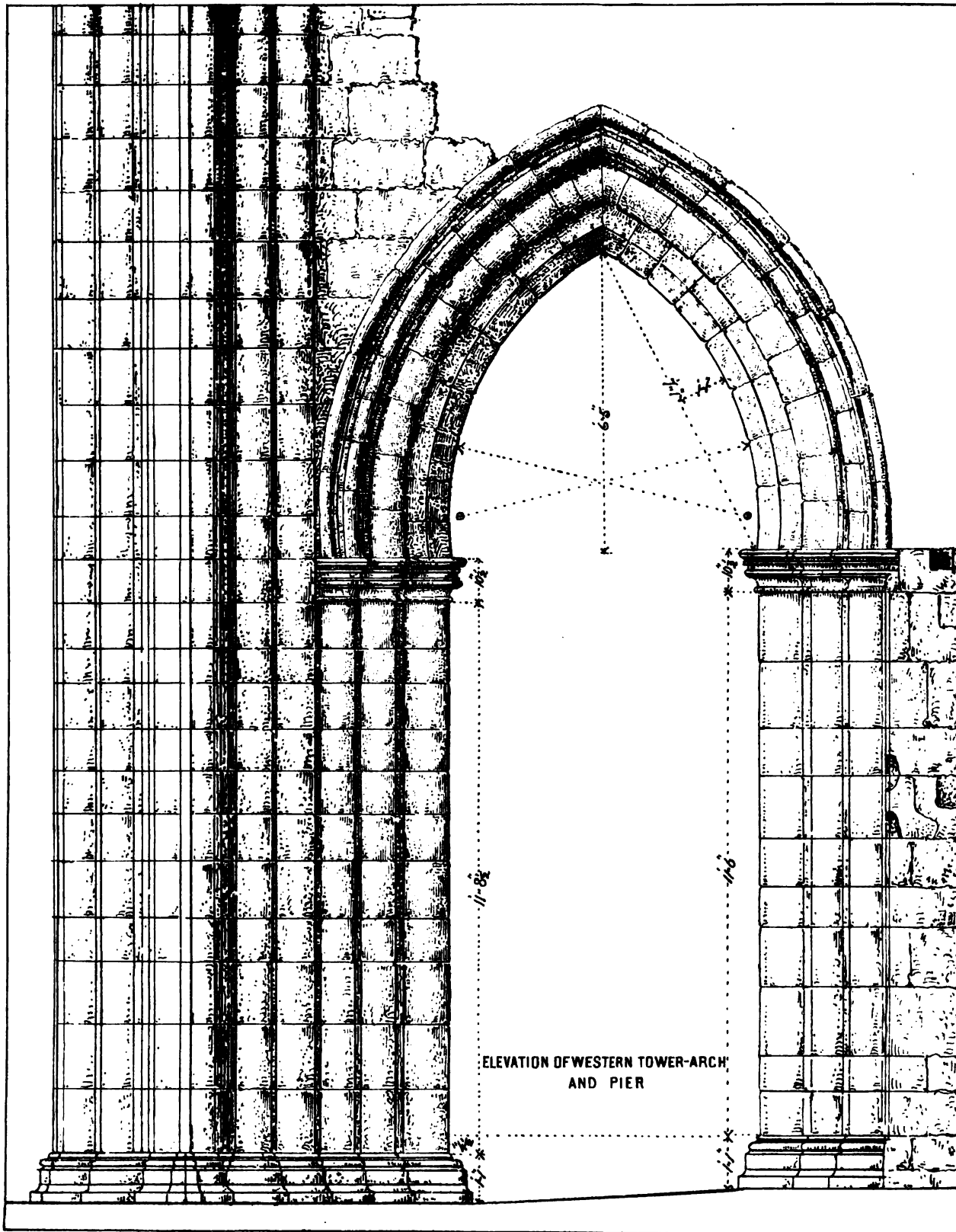
PLATE III.

PLATE III.

ON this Plate an elevation is given of the great western tower-pier, with its attached aisle-arch. That the tower itself must have been demolished at a very early period, and so this pier and arch fully exposed to the action of the external atmosphere, is evident, from the extremely weather-worn character of the masonry in general. Every joint is gaping and open. All the mouldings, of whatever kind,—capitals, bases, hood-mouldings, and even the shafting of the pier,—being so much wasted that their original outlines are entirely lost, and have become literally unintelligible. In marked contrast to this state of things may be compared the portions of the pier and respond recently uncovered, whether by removal of the debris and soil, or the masonry of the inserted gable. At these parts the original surfaces are as fresh,—the most delicate lines of the mouldings, the various arrises, mason-marks, and draught lines, are as sharp, as when first executed, showing that never since the building was first erected have they been exposed to the corroding action of the weather. This fact is the more remarkable, when it is remembered that the stone, especially in a damp state, is very soft, tender, and easily chipped, so that distinction must be made between injuries due to weather and those due to violence or accidental fracture.

A striking peculiarity in this arch is the height at which the centres from which it is struck are placed above the springing. As usual in the First Pointed style, in the doorway between the church and cloisters (Plate V.), the proportion is very nearly an equilateral triangle, with the centres on the springing line. In the present case they are nine or ten inches above it. The result is, that had the arc-lines on either side been dropped vertically, the arch would have been of the form known as “stilted.” Instead of this, each curve is continued until it terminates on the capital, exactly as in the form when struck from one centre called the “horse-shoe arch,” as in the chancel arch of St. Regulus at St. Andrews.

Another peculiar feature is the variation in the levels of the bases, the base of the tower-pier being $4\frac{1}{2}$ inches below that of the respond, while the shaft of the column on the north side is $2\frac{1}{2}$ inches longer than that upon the south. This fact is no doubt due to the subsidence of the pier, and it is possible that it may have taken place partially during its erection, which would account for the apparently designed elongation of the shaft.

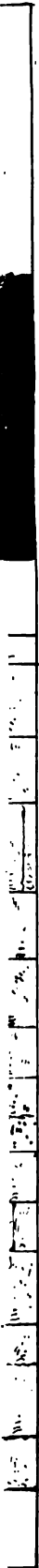


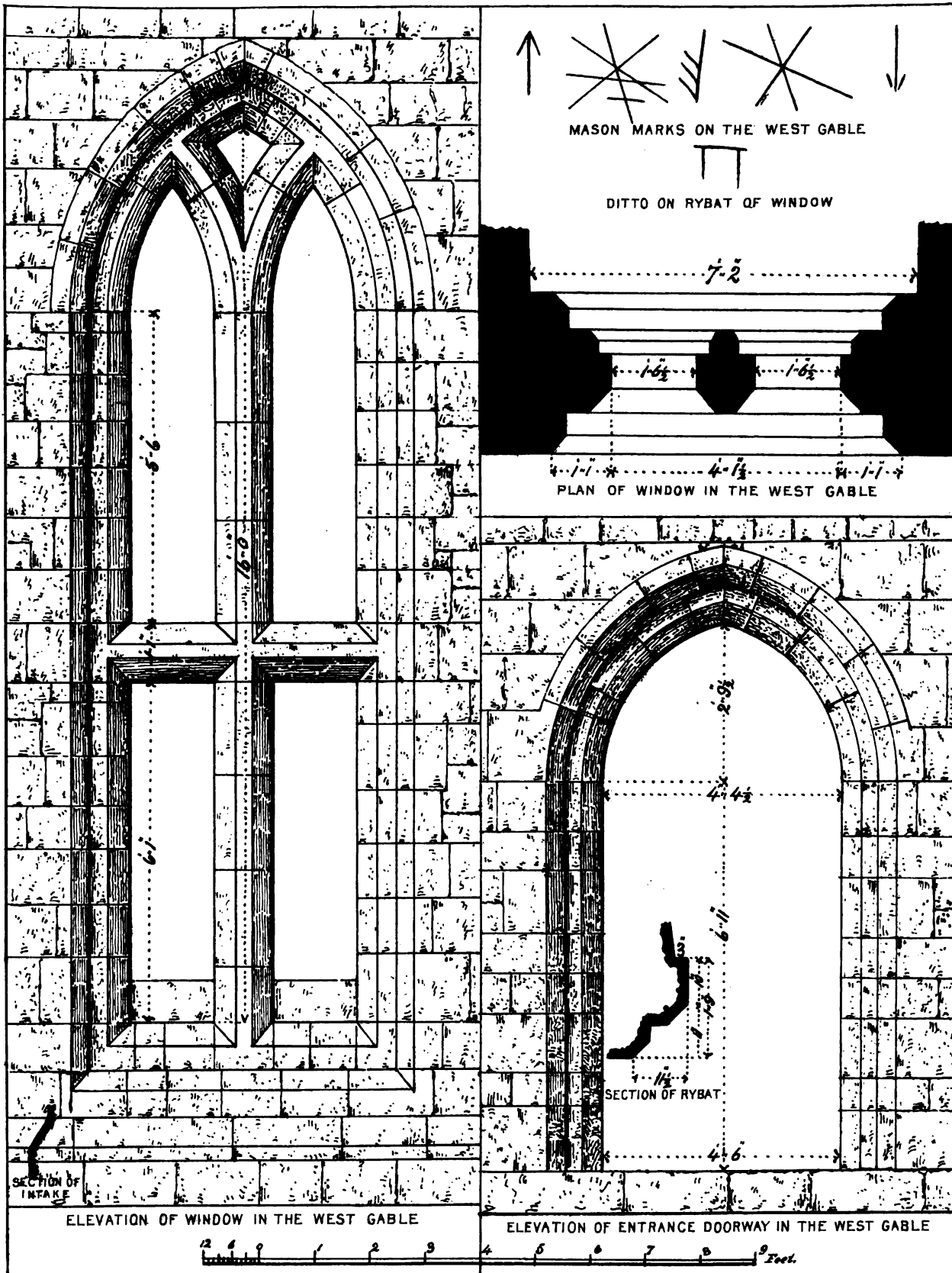
W. Galloway, Mens et Del.

PLATE IV.

PLATE IV.

THIS Plate illustrates the leading features of the later west front or inserted gable. It will be at once seen that there is a marked contrast in point of style between this gable and the rest of the Abbey. Although very indeterminate in its character, the style is quite consistent with the erection of the gable in the fourteenth century, say at the close of the Wars of Succession. To be part of an ecclesiastical structure, indeed, it carries upon it the impress of an unsettled era as much as does the fortalice of the baron. When we look at it we cannot help feeling that its builders were still inspired by the dread of external violence, and that their prime necessity was defence. The gable itself is over six feet thick, a solid mass of masonry, characterised by the most severe simplicity. There is no ornament, no decoration, not a moulding even, the doorway and the window being surrounded by plain chamfers only. To be the main entrance to a great building the doorway is of the narrowest proportions, only 4 feet 6 inches at the base, and 4 feet $4\frac{1}{2}$ inches at the spring, while the entire height is under 8 feet. The window above is quite in keeping with this doorway. It is raised a considerable height above the ground, and consists of but two lights about 1 foot 6 inches in width, separated by a massive mullion, and still further subdivided by a transom. There are no hood mouldings; nothing that could possibly be spared either externally or internally. It will also be noticed that the recessing, both at the door and window, is towards the interior of the building, instead of the deeply splayed ingoing, common in church architecture. All these circumstances point inevitably to the conclusion that the destruction of the original western façade and south tower at Kilwinning was due not to a casualty but to extreme violence, and that the character of the new gable, simple as it is almost to baldness, was the result not only of diminished resources but of an imminent feeling of insecurity and sense of danger. We know that in the sixteenth century the west end of Melrose Abbey was entirely demolished by the English army then devastating the south of Scotland, and that not a trace of it now remains; and the probability is that two or three hundred years previously a similar fate had overtaken the Abbey at Kilwinning.



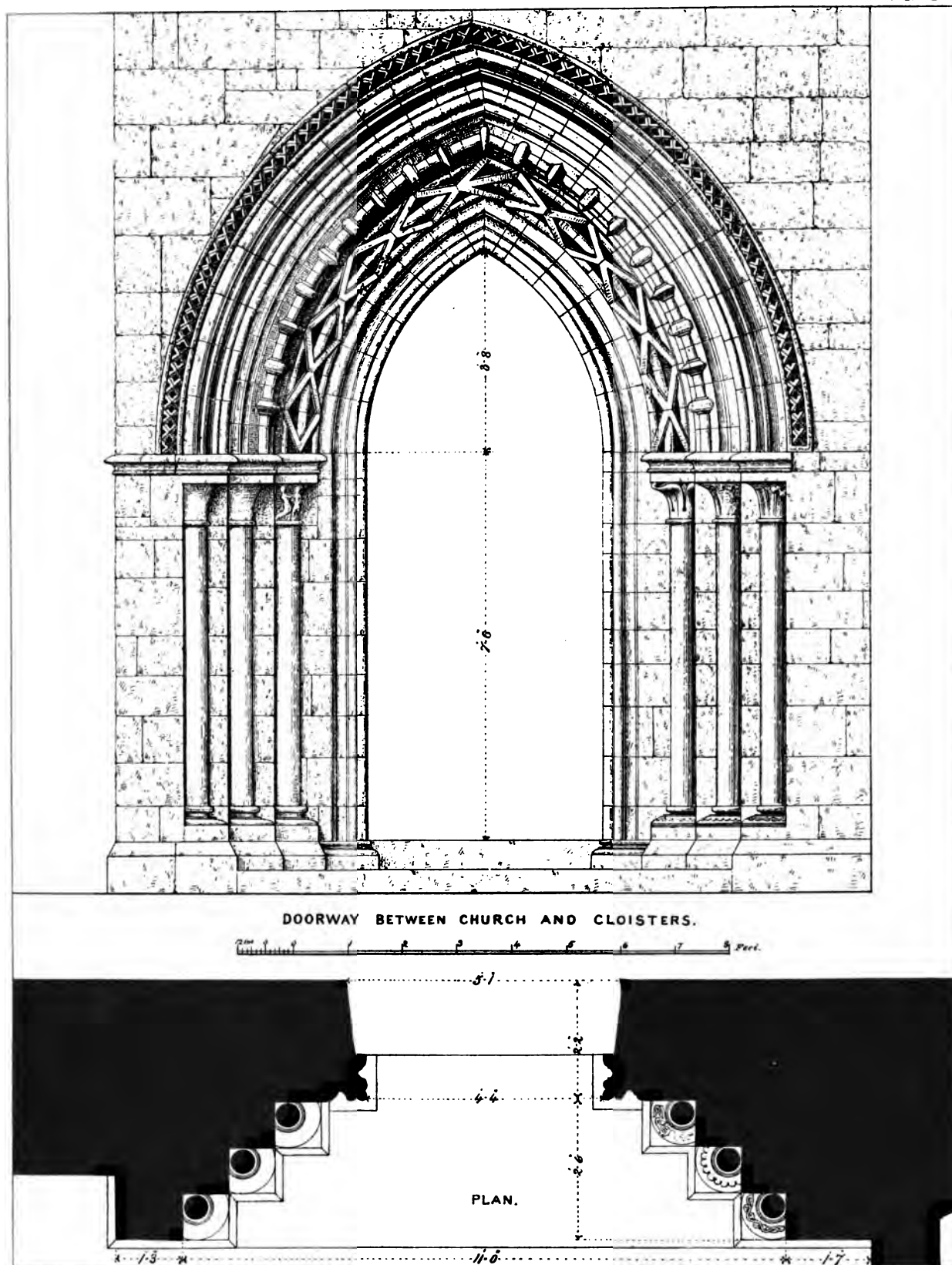


W. Galloway, Mens. et Del.

PLATE V.

PLATE V.

ON this Plate is represented the doorway which formed the principal means of communication between the church and the cloisters. It is of special interest, as being the sole remaining example of the leading doorways in the Abbey, and from its ornate character an idea may be formed as to what the great west portal must have been. In order to give scope for the deeply recessed ingoing, the wall has been at this point considerably thickened. The arch is in four orders, the mouldings of the first being carried down continuously as jamb mouldings, and terminating upon a moulded base. The other three orders are carried upon columns, the shafts of which are unfortunately gone. The basis of the arch is an equilateral triangle, and the whole proportions of the doorway are exceedingly graceful. The same remark applies to the detail, and especially to the capitals and bases of the columns. The general design shows great care, but in several points the execution falls short of it. It will be noticed that the head of the doorway is twisted to one side, the points at which the hood-moulding and orders below it meet being by no means vertical. In many of the arches, including this one, there is a curious feature noticeable, viz., that a small stone, not exceeding three inches in breadth, is let in as a voussoir, as if the remaining arch stones had failed to occupy the requisite space, and it had been found necessary to supplement them by inserting a thin stone. The most curious instance of mis-arrangement occurs in the second order. In the drawing the peculiar enrichment which distinguishes this order is shown as restored. In the doorway itself only the roots of a succession of stone bars, square in section, are seen. From the angle at which they are set it is evident that these bars have formed a series of open conical or pyramidal figures, which will be better understood from the detail drawing in Plate VI. It will easily be seen that, by exercising a little forethought, these figures might have been so arranged as to be both equally spaced and quite symmetrical. But while the east side starts with a whole figure, and the west side with a half one, the worst confusion of all occurs in the centre, where there is half a space over, and to remedy the defect bars are run across from the apex of one ornament to the base of another in the most awkward fashion. To our modern ideas it is singular that a part of the building involving so much elaborate workmanship should also exhibit such striking incongruities.

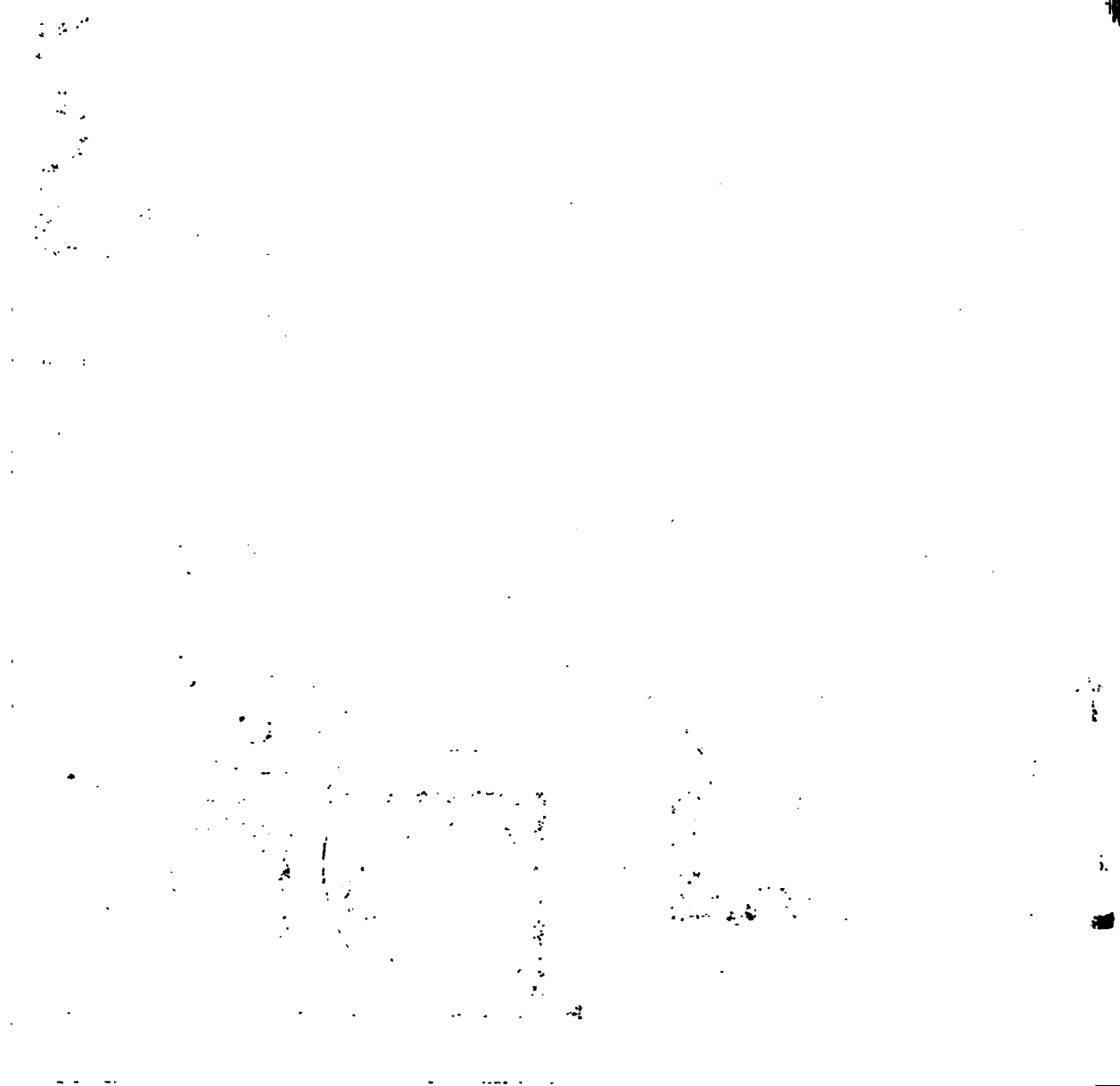


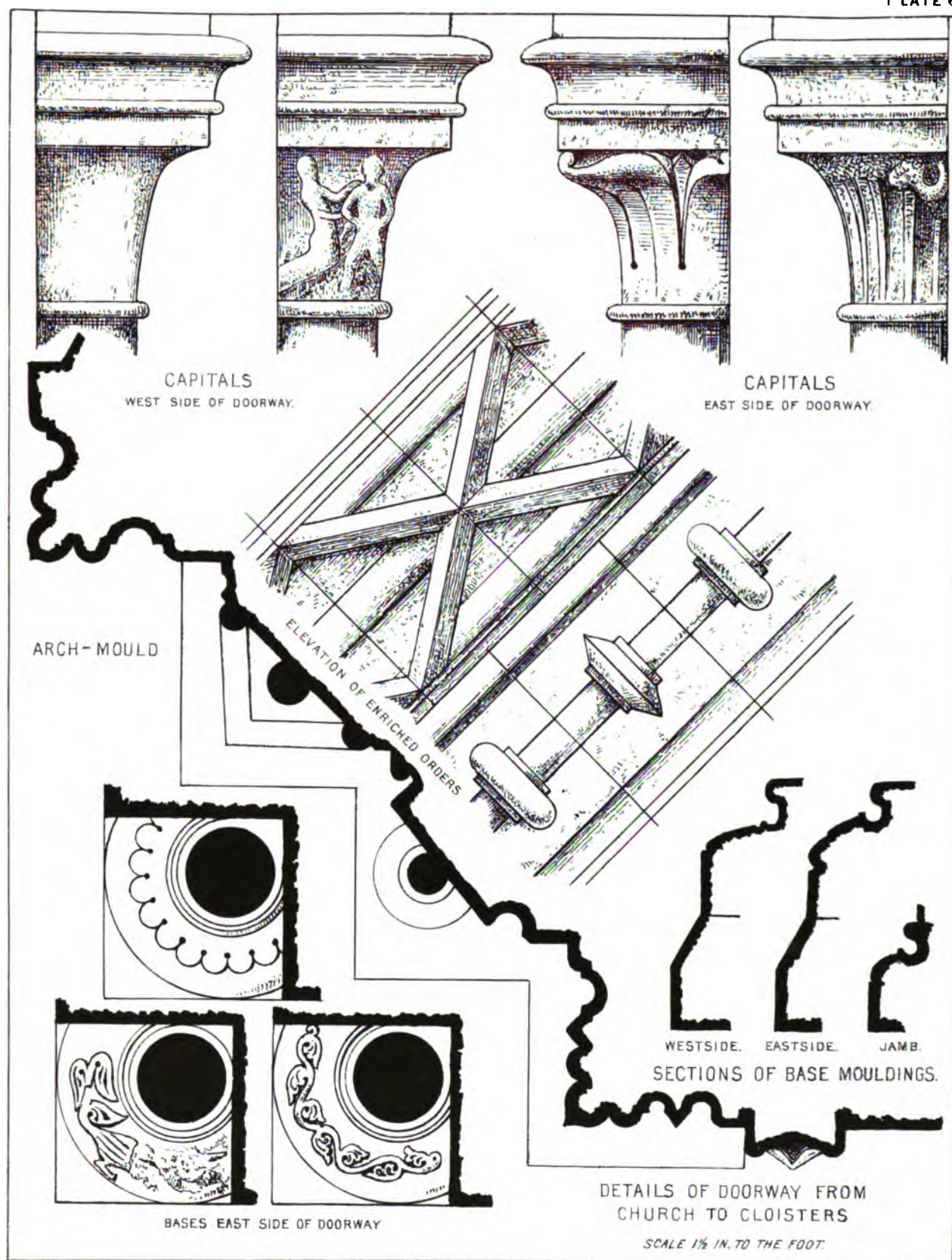
W. Galloway, Mens. et Del.

PLATE VI.

PLATE VI.

ON this Plate are given the details of the preceding doorway, at a scale of $\frac{1}{3}$ th of the full size. It has already been noticed that there is a considerable amount of variety in the detail; and, curiously enough, the west side is much less ornate than the east. The two outermost capitals on the west side are quite plain, the only carving on the third being two human figures, now very much effaced. On the east side all the capitals are enriched, each one differing from the other. The bases are treated in the same manner. Those on the west side are quite plain, and wrought to a much flatter moulding than those on the east side. The latter are all enriched, and that in a very beautiful and by no means common manner, a variety of devices being carved on the principal roll of the base-mould. On one base the pattern is a scollop, on another it is a running scroll ornament, on the third, although very much chipped, an animal is still traceable, with its tail terminating in a knot of foliage. As previously mentioned, the arch is in four orders, the several mouldings of these being given on this Plate. Two of them are enriched. In one of these, *i.e.* the outermost, the enrichment is in perfect preservation; on the other it is very much defaced. This arises from the fact that it has been all under-cut work, only the roots of the decoration being now left. This has consisted of a series of stone bars, square in section, meeting together in a raised centre. These bars spring from a roll on either side, and there is a larger roll in the centre, above which, however, the bars stood quite free, the whole forming a very curious example of under-cut ornament, which, unfortunately, afforded only too ready a temptation to the idle or the mischievous, to be permitted to remain intact. The curious manner in which this ornament has been bungled in the centre of the arch has already been mentioned. In the outermost of the two enriched orders the leading feature is also a roll, which is crossed by bands, alternately round and sharp-edged. An ornament of exactly the same character appears on the western doorways at Arbroath and Jedburgh Abbeys. The hood moulding is enriched with the dog-tooth, so characteristic of the Early English style. This doorway is still in good preservation; the bases have sustained some injury, the shafts are gone, and the ornament in the second order is defaced, but, owing to its sheltered position, it is otherwise in good repair. Where it was possible to do so in the drawings the defective features have been restored.





W. Galloway. Mens. et Del.

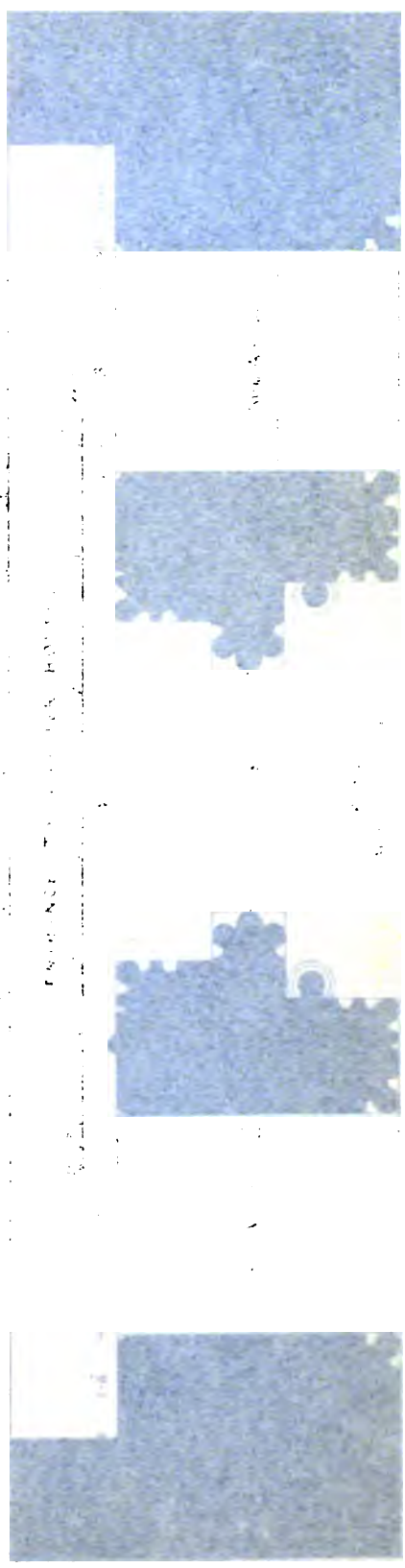
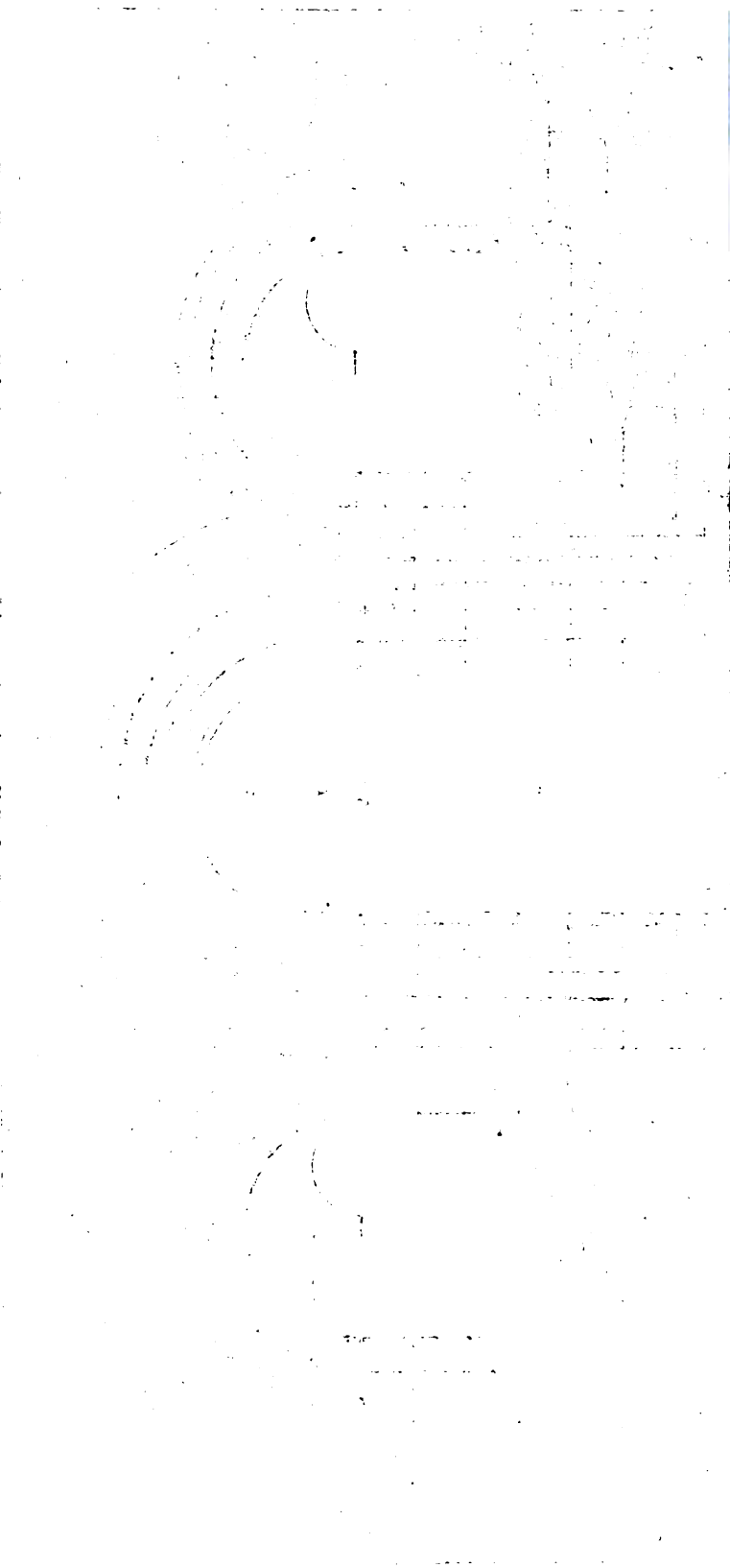
PLATE VII.

PLATE VII.

UNTIL the present Spring¹ the site of the Chapter-house had not been identified, the entrance openings were blocked with masonry, and the interior buried to the crown of the arch. The masonry having been removed, the ground reduced, and necessary excavations made, it was found that the Chapter-house at Kilwinning has been a quadrangular apartment, 19 feet in breadth from north to south, and 38 feet 4 inches in length from east to west, extending about 18 feet beyond the ordinary range of the monastic buildings. The vaulting is entirely gone. With exception of the west end, which internally is all dressed work, the walls are built throughout in a rough coursed rubble, conglomerate being chiefly used. There is an entire absence of that frequent feature in a Chapter-house, the stone bench. There would probably be oak stalls and also lining, as it is difficult to conceive that the walls would be exposed in their present state, especially as the hewn work at the western extremity has been carefully painted. A curious feature in the entrance is the convergence of the jambs, there being nearly an inch and a half of difference between the dimensions at the base and impost. The sills of the side openings, and the supports of the sub-arches, are gone; so also is the paving of the floor. The Chapter-house would be lighted chiefly from its eastern extremity. Of the windows only the fragment of a sill remains on the south side, partially built into the wall, marking the ordinary line of the monastic buildings. It is interesting as showing the window-level.

Between the Chapter-house and the south transept gable lies the slype, which formed the principal means of communication between the cloisters and the eastern precincts of the monastery. The vaulting is here also entirely gone, only the spring remaining, where it had been built up against the south transept gable. Curiously enough, although there has been no stone benching in the Chapter-house the slype has been benched on either side. The side wall next the gable has been carefully faced with hewn masonry, as also are the two extremities. On the side next the Chapter-house, however, the wall separating this apartment from the slype is built of the same rough rubble work as the Chapter-house, largely interspersed with conglomerate. If the slype was ever paved it also is entirely gone; and, indeed, it is evident that, previous even to the demolition of the vaulting, the buildings must have been stripped of everything that could possibly be removed.

¹ 1878.



W. Galloway, Mens. et Del.

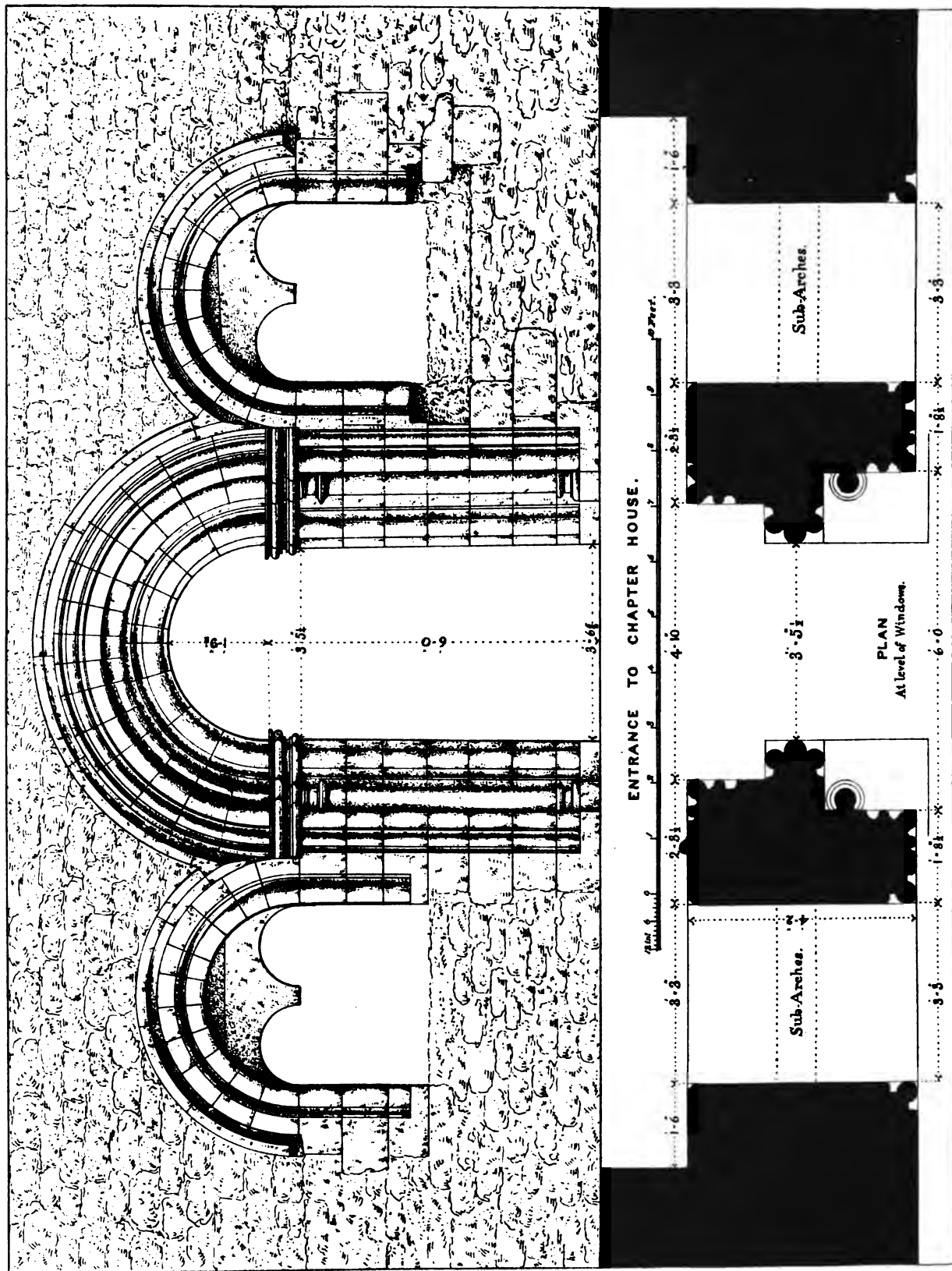
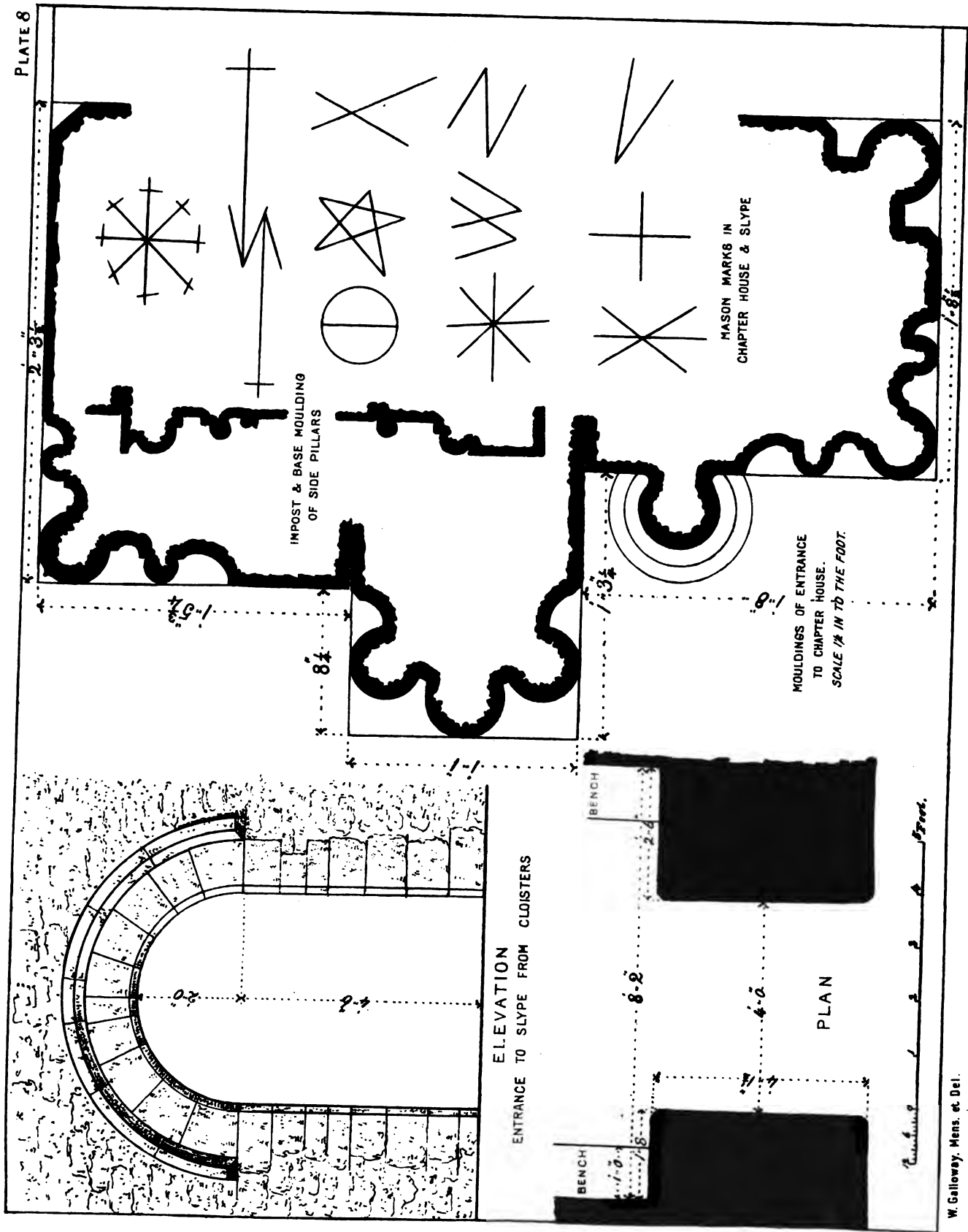


PLATE VIII.

PLATE VIII.

ON this Plate the mouldings of the doorway and side openings in the Chapter-house are given at a scale of $\frac{1}{8}$ th of the full size. Although the connection is broken by the impost mouldings, the arch-mould is precisely similar to that of the jambs. The leading mason-marks of the Chapter-house and slype are also given. The plan and elevation of the entrance to the slype from the cloisters will illustrate the style of this part of the building. There has apparently been no provision for a door at this point. Of the doorway proper, at the eastern extremity of the slype, there are only partial remains. The slype has had a stone bench running along on either side, but only a small portion of the seating now exists.

A curious circumstance may be mentioned, which cannot be referred back to a later period than that in which the monastic buildings were still intact, and probably in actual use: The accumulated debris and soil having been removed, and the original floor-level laid bare, Mr. Smith, the manager at the Kilwinning Ironworks, was anxious to ascertain the nature of the subsoil and possible depth of the marine beds. An excavation was accordingly made in the centre of the slype, with a curious and unexpected result. At the depth of a foot or less from the surface, an adult skeleton was found, lying in position, with the head to the west. Along with it, to the depth of another foot, and occupying the full width of the passage-way, was a mass of adult bones, evidently the remains of large-sized powerful men. They lay in no order, but with the various parts of the skeleton mixed indiscriminately together. Although still for the most part complete, even to the skulls, these bones were in a very soft, spongy, and decayed condition. Where teeth were found, one peculiarity of the molars was that the crowns were invariably ground quite flat. Under whatever circumstances these bones may have been deposited in so unusual a locality, it must have taken place previous to the existence of the modern burying-ground.



W. Galloway, Mens. et Del.

PLATE IX.

PLATE IX.

EXCEPT Fig. 10, all the stones illustrated on this Plate were found recently, either in trenching the churchyard or embedded in masonry. So complete has been the ruin at Kilwinning Abbey that many interesting features, the previous existence of which may safely be inferred, are now represented, if at all, only by individual fragments. Take, for instance, sepulchral memorials. In addition to interments within the church there must have been a burying-ground in its immediate precincts. Yet, if we except Pont's statement as to the reputed tomb of De Morville, there has been hitherto no trace at Kilwinning of such relics of the past. This fact must greatly enhance the value of the fragments, Figs. 1 to 4. They are parts of recumbent gravestones, and, excepting Fig. 2, are all incised.

Fig. 1 was found buried about two feet. The upper part is gone, but the stone originally must have been about six feet in length. There still remain the shaft, and three steps of a plain calvaried cross. On the left side there is a massive sword, with curved guard, part of the hilt being broken.

Fig. 2 is of very small size, carved in relief, with a floriated cross, and is interesting as carrying the well-known symbol of the shears.

Figs. 3 and 4 are the lower parts of small tombstones, graven with cross and sword. Fig. 3 has the blade represented bare. In both stones the original draught-lines are still visible.

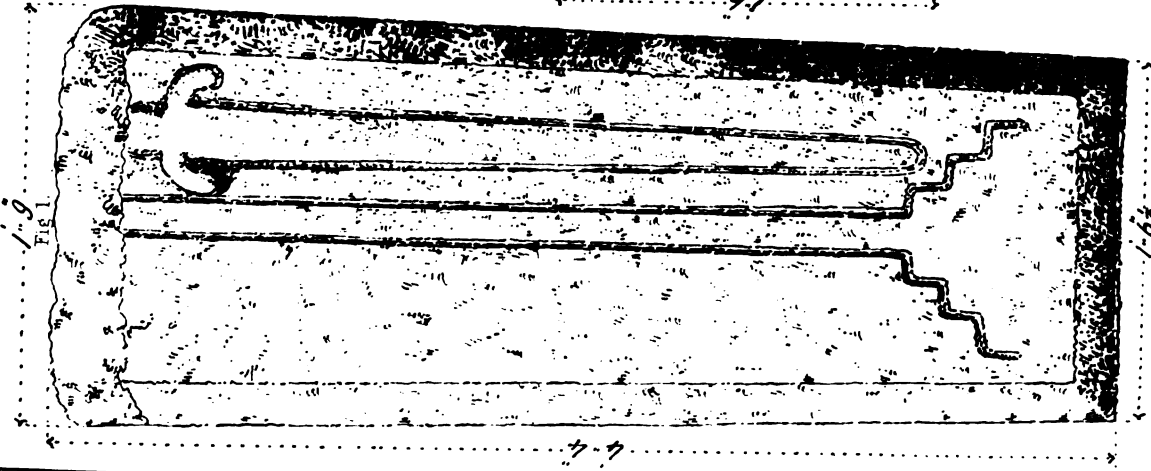
Figs. 5 and 6 are portions of Gothic inscriptions, probably from tombs within the church. Fig. 6 begins the formula "Hic Jacet," etc.

Fig. 7 was found in the rubble blocking the Chapter-house. It has been the keystone of an arch, with floriated crockets of late date, and may have been part of a fireplace or other arched opening in the monastic buildings.

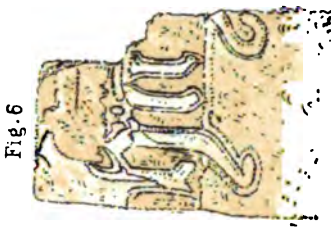
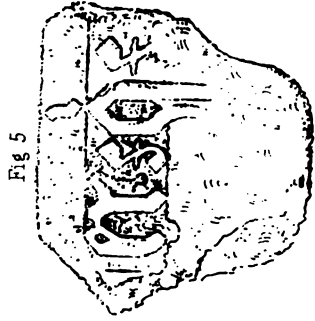
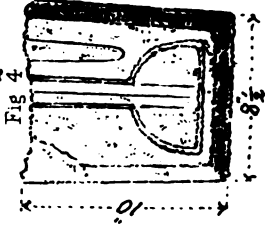
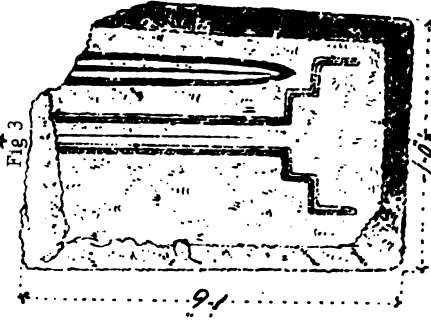
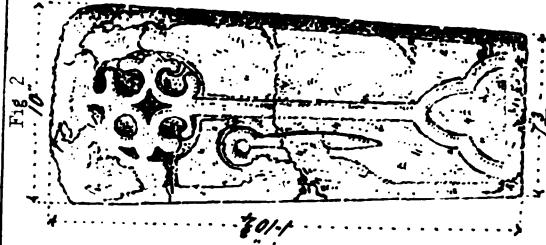
Fig. 8. This head, representing a bishop, terminated the hood-moulding of the westmost triforium arch on the south side of the nave.

Fig. 9. This is the only fragment of tabernacle work found. It has been carefully and delicately carved, and bears traces of having been painted.

Fig. 10. This stone is built into the wall of the present church. It bears the initials of Robert, Master of Eglinton, and Janet Campbell his wife, daughter of Campbell of Loudon. In the parish church at Beith there is a similar cognisance carved in wood.



Figs 1, 2, 3 & 4 Portions of Sepulchral slabs found near the Abbey.



Figs 5 & 6
Fragments with lettering

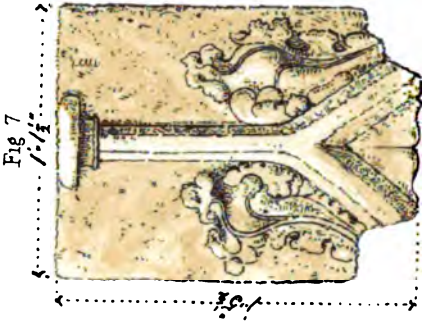


Fig 7
Keystone of an Arch decorated with Crockets.

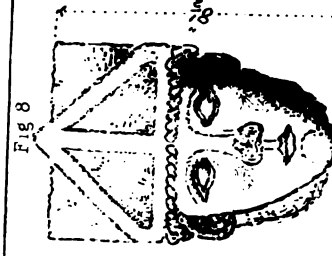


Fig 8
Head from one of the upper arches extreme west end

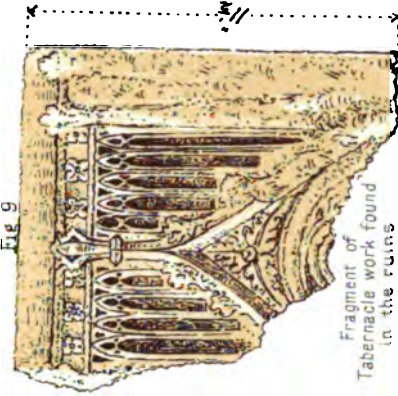


Fig 9
Fragment of Tabernacle work found in the ruins



Fig 10
2' 10"

Stone built into the Wall of the Parish Church exhibiting the Eglinton & Campbell of Loudon Arms.

XI.

COLLECTIONS TOWARDS A HISTORY OF THE MONASTERY OF KILWINNING.

§ 1. TOPOGRAPHY.

THERE is no contemporary account in existence of the Monastery of Kilwinning as it appeared before the Reformation, and consequent destruction of the buildings.

A. Bishop Lesly gives the following brief notice of it :¹—"In Cunninghamia oppidum Irvinum civium frequentia, opibus, ac portus commoditate non longè Airo inferius. Ad duo ab urbe pastuum millia est monasterium satis magnificum Kilvininum nomine."

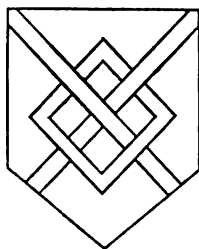
Pont gives the fullest account of the appearance of what remained of the original structure in his time :²—

B. "KILWINNEN. It doeth beare the name Vinnen of a certaine holy man so named, wich came from Irland with certane of hes discipells and folouers, and heir taught the Gospell, the place of hes residence retaning still the name Killvinnin. The church or cell of Vinnen, unto quhome as to a notable sante the superstitious posterity dedicatted. The searching out of the etomologie of this place may (as appeireth) be evidently confirmed by the names of the adiacent places to this day, as Suy-Innen, that is Vinin's seat ; Kaer-vininhill ; St. Vinin's velles, fabled by the vulgar credulous comons to haue issewed of the tears of this sant. It is affirmed that the toune and place quher this Abbey of Kilwinin standes ves formerly named Segdoune, as the foundatione of the said monasterey beares record. It wes foundit by a Noble English man, named Sir Richard Morwell, fugitive from his auen countrey for the slaughter of Thomas Beckett, Archbischope of

¹ *De Origine Scotorum*. Autore Joanne Lealæo. Romæ, 1578. (Reprint, 1675.) P. 10.

² Pont's *Cunninghame*. Edited by J. S. Dobie, F.S.A. Scot. (1876), p. 254.

Canterburrey (being one of them), in the rainge of K. Henry 2^d of England, quho flying to Scotland wes be the then Scotts King velcomed and honoured with the office of grate Constable of Scotland, as also inriched with the Lordeschips of Cuninghame, Largis, and Lauderdaill, quhosse posterity for diuers generations possessed the said office and lands. Nou the forsaid Richard being as vald seime tuoched with compunctione for the sauety of hes soul (according to the custome of thesse tymes) did found this Abbey of Kilvinnin in testimoney of hes repentance. And first of all did bulde the Queir or Cancell of the said Abbey church endouing it vith diuerss lands, as namely, the 80th Land of Kilvinin, after this tennor:—*Damus forrestam nostram de Kilvinin ibidem deo seruientibus ad pascendum porcos eorum et ad excindenda ligna ad constructionem Monasterii vna sum decimis tergorum tam ceruorum quam damarum eiusdem forrestae*: Also Auicea Lancaster vyffe to the said S^r. Richard with consent of her said husband dottes in puram et perpetuam elimosinam the land of Byth, Bath, and Threppewood to the said Monastery. Item, Dorothea de Morvill, daughter to the said S^r. Richard, and vyffe to Phillippus de Horssey, accomplished the fabrick of the said Monastery, and hes sone Dominus Valterus de Horssey confirms to them the same; and the said fundatione, with the donations and mortifications thereto belonging is confirmed by Pope Honorious the 2^d, A^o 2^{do}. pontificatus sui: These donations and fundations are also confirmed by K. Alexander the 3^d.; as also by Jocelinus, Dei Gratia Humilis Glasguensis Ecclesiæ Minister Autoritate Episcopali, etc. The Reueneus of this Abbay wer grate and maney by ther proper Lands. The founder therof S^r. Richard Morwill layes interridd in the now cemetery of this church, vnder a tome of



Limestone, framed coffin vayes, of old polished vorke, with this coate one the stone with [out] aney superscriptione or Epitaphe. The structure of thes monastery wes solid and grate, all of free stone cutte, the church fair and staitly, after the modell of that of Glasgow, vith a fair steeple of 7 score foote of height, zet standing quhen I myselue did see it. Heir wer also the Lords Montgomery and Earls of Eglintone interridd. The Riuer Garnock glyds betuixt the toune and Abbay ouerpassed vith a fair stone bridge. Heir it is remarkable that this Monastery wes foundit in A^o 1191, and destroyed in A^o 1591. It is the precinct enuironed vith a faire stone vall, within vich ar goodly gardens and orchardes."

C. "KILWINNING IN CUNINGHAME.¹ Glasgow Diocesis, fower miles be north Irwine, near the Irish Sea, founded by Hewgh Morville Constable of Scotland, or rather by Richard Morville, whose wife was Avicia, and father William de Morville, for the Monks calld Tyronenses, who entered Scotland in 1313. Lesly, page 10, says, 'In Cuninghamia ad duo ab Irwino passuum milia est monasterium satis magnificum Kilwinning nomine. Areopagitis Taciturniores erant ab Exordio Dies et Noctes fere insomnes ducebant, media quotidie noctis silentia Gallocinio et Conticinio rumpebant, Triplici officio, Die i. B. V. et defunctorum, et statis diebus totum explebant Psalterium, adhibitis nonnunquam ad singulos versus mutuis Scoparum et flagrorum castigationibus. Pane et aqua vivebant; Grosse vastabantur, multum laborabant, Radebantur toto fere capite, Solo Reservato invisibili pœna crinium circulo.' Dempst. says, 'S. Cronanus sive Chronianus Epis. et confessor celebris ad modum apud Cuninghamenses in Scotia, Apud quos cum suis in rebus, tum in alienis, et autoritate valebat et gratia, quorum multos ex vitiorum probis, Eripuit, multos etiam ab humanis ad Divina traduxit, quorum plerique non vulgari aliqua probitatis laude contenti continuis sese includere cœnobijs In Kilwinningensi præsertim, et Faillensi, quæ celebriora fuere apud Cuninghamenses. Mortuus est in prædicta Cuninghamia Scotiæ provincia sub anno Christi 640.'"—David Camerarius, lib. iii. page 74.

"Kilwinning was cast down in 1561 by the Earle of Argyle, Glencarne, and the Protestants of the West, impowred therto by ane act of the Secret Counsell, made for destroying all monuments, and places of Idolatry."—Knox, lib. iii. page 300.

"Apud Kilmarnock sub Abbate Kilwinio celeberrima devotione, miraculorum gloria, et maximo concursu frequentabatur Sanctus Marnocus dum heresis nuper Relligionem Extingueret Colitur 25 Janu."—Dempst.

"1. Nigellus Abbas de Kilwinning is wittness to a Charter of Walter the Second Stewart of Scotland, 1210, Granting to Pasley his Lands lying betwixt Hauld Patrick and Espadare. The same is wittness to a Charter Herberti Decani et Capituli, Glasgw, confirming to Passelet severall Churches granted therto by Florentius Electus Glasgw.

"2. Johannes Abbas de Kilwinning is wittness to the fundation of Dalmoulin Waltero 2, Senescallo, Waltero Epis. Glasgw et Adamo Abb.

¹ Hay's *Scotia Sacra*, p. 505. MS. Advocates' Library.

Mailros. The Abbot of Kilwinnin being appointed judge by the Pope of the debate betwixt Pasley and Malmor Hobelan, perpetuall Vicar of Kylvlinan, subdelegats Richard de Lanark, subdecanus Ecclesiæ, Glasgw, And Robertus de Edinburgh Ejusdem Ecclesiæ Canonicus, who adjudg'd to Paisley nummatam Terræ de Kylma apud Kenlochgilp ; Et Capellam Beatæ Mariæ in eadem terra, 1268. Which made the subject of their contestations.

“ 3. Bernard Abbot of Kilwinning swears fealty to Edward the first : And

“ 4. Robert, Abbot of the said place, is wittness to a Charter of Robert Earle of Stratherne and John Lord Kyle, concerning some lands belonging to Reginaldus More in Kyle and Covall ; the same is subdelegat by John Abbot of Dunfermelyne and Hugo Abbot of Newbottle, 1367, for putting in execution Pope Clement's bull.

“ 5. Willielmus Abbot of Kilwinning is wittness to a Resignation of the Lands of Thornley made to Pasley by Sir John Wallace of Cragyne, 1449. The same is subdelegat by John Abbot of Cowper for judgeing the Debats betwixt Pasley and all other Persons. Pope Urban by his Bull data Viterbij quarto Idus Maij Anno Primo Pontificatus sui, Intreats the Prior of Kilwinning to examine exactly what lands had been wrested from Pasley, under the pretext of Bulls purchasd from Rome.

“ 6. Cuidam Ex Hamiltoniorum familia Abbatiam Killwinninam impertivit Johannes Albanis Dux, Anno 1516.

“ 7. Gavinus Hamiltonius Kilwinnini Abbas in Gallia 1551. Cum Regina vidua Gavan Hamilton Abbot of Kilwinnin, a great enimie to the Congregation, stirr'd up the Duke of Chatelrault against Knox and his followers. He was sent with Argyle, and Ja. Prior of Saint Andrews to Perth by Queen Regent for ane agreement betuixt her Majesty and that City the 28 of May 1559. He is appointed by the Queen to treat at Preston, 1559, anent the means fitt to settle a solid peace betwixt her and the Congregation. He is stil'd by Knox a crafty man, lib. ii. page 149. He is chosen a Lord of the Articles in the Parliament held 1560. He is said to have taken in hand with the Earle of Bothwell to cutt off James Earle of Murray in the park of Falkland. The Conspiracy being discovered by the Earle of Arrane, Kilwinning was apprehended and sent prisoner to the Castle of Stirling, and Bothwell to the Castle of Edinburgh. In 1564 he is forced to fly to England with the other Lords, but comeing back shortly

after obtain'd his pardon and the Duke of Chatelraults. In 1568 he is one of the Commissioners att Yorke for Queen Marie, then detained att Carlile. He is declard guilty of Treason in a Parliament held in the Canongate, near the Gates of Edinburgh, 1571, by the Earle of Lennox Regent, And is forfitted with Secretarie Maitland, and his brothers John and Thomas, the Tenth of June. He led the foot towards Leith against the Lords with Huntley and Mr. John Maitland Prior of Coldinghame, but was forced to fly by Morton's souldiers. He was killd in the fight near the Watergate on Saturday 28 of June 1571. He was a Gentleman of good worth and moderat. He was mutch lamented."

Pont is certainly mistaken in giving the date 1591 for the destruction of the Monastery. The following extract from a note by Mr. Dobie gives all that can be said on the point:—

D. "Of the exact date when the Monastery was destroyed there is no evidence. Knox says that the Lords of Secret Council made an Act that all places and monuments of idolatry should be demolished; and for that purpose was directed to the west the Earl of Arran, having joined with him the Earls of Argyle and Glencairn, together with the Protestants of the west, who burnt Paisley (the Bishop of St. Andrews, who was Abbot thereof, having narrowly escaped), cast down Fail, Kilwinning, and a part of Crossraguel (Book III. vol. i. p. 638). This Act was passed in 1561 (*Cald. Hist.*, vol. ii. p. 130), and it is probable was forthwith acted upon, though some of the religious houses in Scotland had been destroyed before this year. No private record is known to be extant giving any details of the demolition of Kilwinning. Pont says it was destroyed in 1591. The work might be finished in that year; but Knox, who died in 1574,¹ could not narrate that Kilwinning had been 'cast down,' had not the devastation gone a considerable length in his own lifetime."

The following notice, taken from the Preface to the *Eglinton Memorials*, shows the uses to which one part of the monastic buildings had been put:²—

E. "In searching for the chartulary several papers were found connected with the Abbey. One of these refers to a dispute between the Abbot and

¹ This should be 1572.

² *Memorials of the Montgomeries, Earls of Eglinton*, vol. i. preface, p. xxiii. note.

the third Earl of Eglinton regarding the steeple. The following account of the uses to which it had been applied is given in the answers for the Earl to the summons of the Abbot:—‘As to the said stepill, it is altogether boyldit vpoun the bodie of the parochie kyrk of Kilwynning, fer distant from the queir and closter, swa that nane may haif pretext or collour to acclame the samin, onles it wer the parochin; quhairof I am ane, and vnder the Kyngis Maiestie hes the reule and commandeament of the remnant: and I and my predecessouris, not only heritable baillies of the regality of Kilwinning, bot alsua of the realtie of Connyngname, hes euer in all tymes bygane, alsweill in this commendataris tyme as his predecessouris, quhen abbayis wes in greitter veneratioun, and mair sancttemony pretendit, had the said stepill for an ward and prisoun to poneis and keep malefactouris and presowneres quhairin the commoun bell hynggis, to be rung only at command of me or my deputis for conuenyng of the parochin and tenandis aithir for the kyngis seruice, my particular, or as necessitie sall require: and in all tyme of trublis, alsweill of war aganis forane enemeis, ceveill tumult, particular feidis, or vther wayis as my predicessouris and I thocht convenyent: Thai and I had euer the vse and keiping of the said stepill, mannit and fortefeit the samin, had our deputis and seruandis remanyng and dwelling thairin at our plesour, without any contradicioun: Lykeas we haif euir had als weill in this commendaturis tyme as his predecessouris, the said haill abbay and every pairt thair of patent to ws, the principall hall and vnder places as we plesit, to hald our courttis, and for executioun of our office of bailliery, as occacioun seruit.’”

§ 2. ST. WYNNYN.

THE early history of Kilwinning is involved in obscurity. That it was a place of sanctity long before the foundation of the Benedictine Monastery is certain. Dempster states that in the 7th century S. Chronanus induced many to retire to the Monastery of Kilwinning; but this account has no authority. Who the patron saint was, and the exact period when he flourished, are both doubtful points. In the *Martyrologium secundum usum Ecclesie Aberdonensis*, a MS. presented to the Library of the University of Edinburgh, in 1677, by Laurence Charteris, Professor of Divinity, there is the following notice of the Saint:¹—

¹ *Proc. Soc. Ant. of Scot.*, vol. ii. p. 280.

xij. Kl'. Februarij.—In Scotia apud Kilvinnyn Sancti Vinnini episcopi et confessoris qui adeo vite et morum honestate presentis vite miserabiles compescunt insolencias vt in cenobio ibidem fabricato multi a variis morborum Beati Vinnini precibus sunt curati languoribus.

Adam King, in his *Kalendar*, printed at Paris in 1588, under the same day, the 21st January, has "S. Winnine, bischop in Scotland," and adds the date 715, which however cannot be depended on.¹ In the *Kalendar of Scots Saints*, appended to Keith's *Catalogue of the Scottish Bishops*, the Saint appears as "S. Vimin, bishop in Scotland," on the 21st January, and the year 715 is also given. This form of the Saint's name appears to be taken from the *Historia Ecclesiastica Gentis Scotorum*² of Dempster, where the following entry occurs:—

S. VIMINUS E.

S. Viminus episcopali honore quam rexit ecclesiam incertum.

Scriptum

Lecturam in Threnos lib. I.

Meditationes in Psalterium lib. I.

Claruit anno DCCXV.

Colitur die xxi Januarii templis non uno regni loco ei erectis.

[Breviar. Scot. et Calendar Adami Regii.]

The generally received account identifies S. Wynnyn of Cunninghame with S. Finnan of Moville. In the British Museum Library there is a MS. life of the Saint (MS. Cott. Tiber. E. 1, ff. 313b-315), which has been printed in the *Nova Legenda Anglie* (London, 1516). Another MS. life (of the 15th century) is in the Bodleian Library at Oxford. Both these accounts state that the Saint was buried at Kilwinning. The following is Capgrave's text, collated, by the courtesy of the Rev. H. O. Coxe, with the Bodleian MS.—

¹ Innes' *Civ. et Eccles. Hist. of Scot.*, p. 161 (Spalding Club).

² *Hist. Eccles.*, vol. ii. lib. xix. p. 637 (Ban. Club, 1828).

“ DE SERUO DEI FINANÓ EPISCOPO ET CONFESSORE.¹

“ Reuerentissimus² pontifex Finanus qui et Wallico nomine Winninus appellatur : patre capreo matre vero Lassara aradeorum gente et nobili prosapia de nudia oriundus fuit. Quem beatus patricius hiberniensium episcopus venerandum insignemque episcopum futurum esse predixit cum enim cena magna qua parentes eius totam familiam tuam per tres noctes satis habunde³ procurauerant⁴ vinum⁵ deficeret de pueri sanctitate secundum beati patricii vaticinium confidentes tria vasa debili ceruisia plena per manum eiusdem infantis signantes in colorem et saporem optimi vini conuersa sunt. Adueniente post hec colmanno antistite ad erudiendum docilis puer traditur cum quo in omni obedientia et humilitate aliquot onnis⁶ instructus est, factum⁷ est aliquando dum beatus antistes manum suam ad sanctum puerum iam legente⁸ quadam de causa percutiendum cum flagello sursum extenderet angelus domini ipsam in aere suspensam retinuit. Quo facto Finanus in terra prostratus ait. Pater mi cur me non cedis ? Et ille fili hoc volo facere : sed tamen diuinitus impeditus sum. Ergo si vis flagellari ad alium magistrum ire te oportet. Ego enim ab hac hora nunquam te corripiam. Et⁹ misit eum ad venerabilem senem coelanum noendrumensem abbatem et vt corporis illius ac anime curam haberet diligenter commendauit. At ille faciem iuuenis intuens statim dixit. Iste meus nunquam erit discipulus vere enim in celo et in terris honore et merito longe me precellit. Nam episcopus erit sapientia clarus et religione ac sanctitate conspicuus. Hoc audito Finanus prophetico spiritu tactus ait. Nec mora videbitis huc venire quem sequar et sub quo erudiat qui mihi in omnibus necessitatibus succurrat. Et ecce naues quibus sanctissimus pontifex nomine Nennio cum suis inerat¹⁰ de Britannia venientes portum insule coram monasterio tenuerunt Quibus cum gaudio et honore susceptis prefati patres inuenem Finanum venerabili episcopo cum omni diligentia commendarunt . Cum eodem repatriantem nauigauit et in eius sede que magnum vocabatur monasterium regulas et institutiones monastice vite aliquot annis probus monachus didicit atque in sanctarum scripturarum paginis non parum proficiens insudauit et per inuocationem nominis Christi multa miracula fecit Quemdam hominem genere grecum pro immanissimis

¹ Capgrave's *Nova Legenda*, fol. cxlvii. b.

² Reuerendissimus. ³ abunde.

⁴ preparauerunt.

⁵ delete.

⁶ aunia.

⁷ Factum. ⁸ legentem. ⁹ et. ¹⁰ inerat.

sceleribus suis multis annis vexatum¹ quem legio demonum dum per quas-
cunque mundi partes sanitatem querens ibat infeliciter sequebatur ab omni
corporis et anime languore sua prece liberauit. Regis Britannie filiam ipsam
carnali amore nimis diligentem et quadam die ad illicitum actum impudenter
alicientem et iusto Dei iuditio coram patre et populo post peruum² interuallum
ob hoc defunctam parentum et astantium gemitibus compassus ad vitam
castam et sanctam reuocauit. Vas aque cuiusdam hominis³ inuidia veneno
infectum confidens in domino bibit et nullum omnino nocumentum postea
inde sensit. In monachorum itaque regulis et in sancte scripture paginis
non mediocriter instructus apostolicam petere sedem decreuit vt quicquid
scientie salutaris forte minus haberet illic ad plenum haurire posset. Ibi
enim annis septem studiosus indagator permanens ad sacerdocii gradum as-
cendit. Cum enim populo romano in ecclesia quadam verbum domini pre-
dicaret quorundam clericorum inuidia ne a populo vox illius audiretur organa
et tubas ceteraque musice modulationis instrumenta simul sonare fecit. Hec
tamen⁴ omnia altitudine mirabili virtute⁵ diuina vox sua superans⁶ commendan-
tur et Deus in sancto suo glorificatur. Duos post hec numerose⁷ multitudinis
populos ydola colentes predicatione simul et miraculis ad fidem Christi iuxta
italiam⁸ conuertit et quorundam pedes ipsorum in eum irruentium terre
herere fecit. Cumque rex eorum lignum ad crucifigendum virum dei terre
infigi iussisset eidem ligno altera eius manus adhesit, altera suo lateri iuncta
fuit. Omnes tamen penitentes et ad fidem conuersos illico soluit. Duo
insuper leones de silua proxima viro sancto precedente venientes ipsumque
catulos eorum in sinu portantem quasi vacce vitulos coram omni populo
sequebantur per ciuitatem. Si enim hoc faceret Deo suo se credituros spos-
ponderunt.⁹ Insuper et virum quemdam ab eis occisum vite restituit. Hiis
itaque peractis; famulus Dei cum sanctorum reliquijs altarique marmoreo ac
tribus rotundis lapidibus angelorum ministerio sibi traditis quibus vite sue
spacio legendo, scribendo et orando vice lucernarum nocturnis fungebatur
horis repatriare festinauit. Accepto post hec presulatus officio quantis in
hibernia miraculis effulserit hominum vere nemo¹⁰ nouit. In ecclesia que cella
montis vocatur quandam monialem a morte suscitauit ministrum cuiusdam
episcopi submersum ad vitam reuocauit et episcopum nomine nathum a mor-
tuis reuocauit qui salutari viatico de manu Finam¹¹ suscepto: in pace quieuit.

¹ vexatim.² parum.³ hominis cuiusdam.⁷ innumerosae.⁸ ytaliam.⁴ cum.⁵ delete.⁶ superna.⁹ spoponderunt.¹⁰ delete.¹¹ finiam.

Filium cuiusdam vidue triduo defunctum et resuscitatum baptizavit. Iniquitatis filium qui discipulum eius hasta vulneravit excommunicans¹ dixit. Carnem tuam volucres celi comedent et ossa vndique dispersa terra non suscipiet animaue infelix ad inferna sine fine descendet. Modico post hec elapso tempore illum Dei inimicum ventus ab austro flans in profundam vallem mari proximam detrusit vbi lignea² sude transfossus pendens interiit. Filium dameni regis seruum Dei dum corpus domini consecraret nimis inequitantem³ ac ne sanctum opus fieret irreuerenter prohibentem : per eius orationem ad dominum extensis manibus profusam⁴ malleus ingens de celo in caput eius iam descendens prout meruit interemit. Duas quoque matronas nobiles et steriles concipere et parere sua prece effecit. Regem diarmesium⁵ pro quodam amico suo supplicaturus⁶ accessit. Cumque rex ostia opidi obserrari iussisset : illico diuinitus aperta sunt. Quo audito rex ascensu⁷ curru hominem Dei deuitare⁸ nolens⁹ confracto curru cecidit et cecitate percussus virum sanctum ad se adduci iussit. Quod ille renuens¹⁰ dixit. Si meis acquieuerit petitionibus a Deo quod vult impetrabit. Tunc nuncius regi agit.¹¹ Vere rex negotium pro quo me miseras in tuo iuditio ponit. Illo acquiescente¹² vir Dei aquam benedictam qua aspergeretur et zonam suam qua cingeretur ad eum iussit deferri. Qui aqua conspersus et cingulo cinctus ; ad pristinam rediit sanitatem. Tuatalus quoque dicti regis predecessor butiri elemosinam quam studiosus divinarum scripturarum tam noctibus quam diebus lector ad opus lucernarum ab eo petierat negavit. Tunc Finanus futurorum prescius aliquod propheticum materna lingua de eo verbum protulit quod illum non longo post tempore precinebat esse moriturum. Quo ille audito penitentia ductus flexis genibus veniam petiit et ait. Domine indica mihi qua morte moriar. Et ille Unus inquit de ministris tuis interficiet te. Vir autem ille in oculis suis sapiens atque superba inflatione nimis tu mens ausus est yronice famulum Dei adhuc interrogare dicens. Quantum spacium est inter nos et Dei regnum. Et ille. Non inquit nimis longum.¹³ Habitatores enim illius : vocem viri humilis audiunt.¹⁴ Quo audito adhuc in sua persistens superbia ait. Ubi est infernus : in celo vel in terra vel sub terra aut¹⁵ quante latitudinis et profunditatis est longum ve est spacium inter nos et illum. Cui doctor egregius aliquantulum Dei zelo commotus respondit. Infernum ego non men-

¹ inimicatus.² ligne.³ iniquitatem.¹⁰ rennuens.¹¹ ait.¹² adequiescenti.⁴ perfusam.⁵ diarmesium.⁶ supplicatus.¹³ tam inquit longam.⁷ ascenso.⁸ enitare.⁹ volens.¹⁴ audiens.¹⁵ vel.

surauī tu vero pedibus tuis mensurabis. Via autem que ducit ad illum quam sit longa et brevis ex hoc perpenditur quod prius quam huius diei aduenerit finis tu in eo eris. Que prophetia repentina morte ipsius ante vesperam est completa.

Hec pauca de maximis¹ magni huius sanctissimique² pontificis virtutibus ad edificationem legentium deflorare decreui : qui post obseruationem mandatorum Dei omnipotentis³ post angelorum presentiam ad se consolandum sibi que consulendum crebro venientium aliasque diuinas reuelationes quam plurimas infirmitate correptus totius anni circulo in doloris decubuit lecto. Imminente vero dissolutionis eius hora sacramenta dominica corporis et sanguinis Christi sumpsit et spiritum in manus creatoris sui emisit quarto idus Septembris. Sepultum est autem corpus eius Scotia apud Cunigham in loco qui ab eis⁴ Wallico nomine Kilwinin appellatur.

The following note by Dr. Reeves was communicated to the late Bishop Forbes :⁵—

“ Who this Finan was in the history of the Irish Church we are able to ascertain through the names of his parents, as given by Capgrave. Cairpre, which answers to Capgrave’s Carpreus, appears in the Irish hagiogeneses as the father of Finnan of Moville; while Lasair, the same as Capgrave’s Lassara, is stated by Ængus to have been mother to Finnan of Moville. Thus we identify the Ayrshire saint with the founder of Moville in the Ards of the county of Down,⁶ who was also the patron saint of the Dal Fiatachs, or royal house of Uladh. He was also founder of Druimfionn, now Dromin, in the county of Louth, in which monastery S. Columba is said to have been his pupil. He died in the year 579, according to Tighernach and the Annals of Ulster. And it is curious that S. Frigidian’s death, in external authorities, is placed at 578. There is good reason for believing that he was identical with S. Frigidianus, whom the Italians commemorate as patron saint of Lucca. Two lives of him, which Colgan has published, drawn from continental authorities—one from his office as used at Lucca, the other from a MS. in the Chartreuse of Cologne—agree with our domestic records as to his extraction, his education, and his church of Maghbile. Frigidianus has

¹ delete.

² delete.

³ delete.

⁴ a eius.

⁵ Forbes’ *Kalendar of Scottish Saints*, p. 465.

⁶ See Reeves’ *Eccl. Antiq. of Down*, etc. p. 151.

the distinction of being mentioned with respect by S. Gregory, who was his contemporary.”¹

By the kind permission of Mr. W. F. Skene I am enabled to give the following note as to S. Wynnyn, showing a different origin from the one suggested by Dr. Reeves in the note above :²—

“There is a difficulty in identifying S. Wynnyn with S. Finnan of Moville owing to their days being different. The Ayrshire Saint was celebrated on the 21st of January (o.s.), whilst the Irish S. Finnan (of Moville) died on the 10th of September. In point of fact our calendar is derived from two sources—the Irish and the Welsh. Wynnyn is a Welsh form, and he is also patron saint of Lumphanan in Aberdeenshire, where his day is the 21st of January. Lumphanan is simply the Welsh Llanffinan. Near it is Midmar, dedicated to S. Nidan, a Welsh saint, and between is Glengairden, dedicated to S. Mungo. It is a Welsh group. In Anglesea we have two adjacent churches, Llannidan and Llanffinan. I have therefore little doubt S. Wynnyn came from the Welsh Calendar. But they know nothing of S. Finnan of Moyville. On the other hand, S. Finnan of Clonard was educated by S. David, and is said to have founded three churches in Wales. His day in the Irish Calendar is, I think, 23d February, and I think he must have been the Welsh Ffinnan.”

The following is the Office for S. Wynnyn :³—

Januarius.

Sancti Wynnini presulis tui et confessoris incliti solennia agentes te domine suppliciter deprecamur ut dum tui nominis in honore ipsius gesta recolimus et eodem pro nobis benigne intercedente patrocinia senciamus eterna. Per dominum nostrum Jesum.

Ad matuti ix. lec. fiant Lc. 1.

Wynninus Scotica prouincia ortus ex illius illustri regum stirpe et nobili educatus familia et nutritus suorum parentum cura non parua et solitudine alitus et ingenuis eruditus disciplinis binisque in eodem reuolutis lustris :

¹ *Dial.*, lib. iii. c. 9. See Colgan, *Acta SS.* pp. 634-642.

² Letter from W. F. Skene, Esq., to R. W. Cochran-Patrick, 26th April 1878.

³ *Breviarium Aberdonense.* Pars Hyemalis, fol. xxxviii.

mundanis abiectis rebus diuino se mancipauit officio et eidem deuote deservire studuit et sic in perfectam etatem indesinenter perseuerauit. Atque exteras sepius postulabat regiones et solitariam a parentum cura ducere vitam. Tu autem domine miserere nostri.

Lctō ii.

Onerosum certe fuit suorum parentum et amicorum iugis frequentia et vicinorum visitatio assidua ob id quod suam in deum contemplacionem continuam variis impediabant curis ea cupiens studiose deuitare ab eorum aspectibus longius abesse oportunum elegit paratis nonnullis clam classibus et que nauigandi vsui erant per emptis necessariis atque comilitonibus electis quibusdam sue professioni congruis prospero vento et felici in Scociam minorem delatus est et ad locum que Cunnighame dicitur premitus terram cum suis applicuit.

Lectio tertia.

Qui mox terram illam ingressus: non habentes vnde viuerent piscandi gracia ad fluuium vocabulo Garnok applicuit cumque itinere fatigatus paululum super illius ripas consedisset cuidam puero imperauit vt hamum in eodem fluuio emitteret vt inde pisciculos aliquos prenderet. Qui iussu beati Wynini vicibus iteratis in eodem immittens nichil prendidit Contristatusque beatus Wyninus fluuium maledixit. Ita inquires in te nullatenus per secula piscis capietur. Quiquidem fluuius paululum desiliens proprium reliquit alueum: et in aliam partem cursum suum contra naturam derigere fecit vsque in hodiernum diem.

Lectio iiii.

Discedens itaque vir Dei de eodem loco ad alium se transtulit locum qui nunc sacrum nemus a vulgo appellatur vbi cum discipulis suis viris vite approbatissimis permanendi locum eligerunt non habentes aquam ibidem vnde biberent: celitus emissa oracione fons lucidissimus ebulliuit ex quo bibentes varii ex infirmitatibus vsque in presens sanati sunt. Eaque nocte apparuit beato Wynnino angelus domini dicens Wynnine viriliter age et confortetur cor tuum in domino hunc enim locum ad incolendum preparauit deus ipse altissimus. Tu autem.

Lectio v.

Quibus dictis angelica disparuit visio beatus vero Wyninus tali confortatus oraculo Deo vero et omnipotenti gratias humiliter exhibuit ibique

mansionem suam cum ceteris suis discipulis construxerunt. In quo varios sua predicatione ad Christi fidem persuaserunt. Tandem in bona senectute et sancta ab illius patrie clericis et populo in episcopum consecratur suffultusque quam plurimis miraculis obdormiuit in domino et apud Kilwynne honorifice traditur sepulture vbi nunc monachorum viget claritas et illorum virorum sanctitas perpetua. Tu.

Lectio sexta.

Quidam dehinc in villa beati Wynnini qui graui laborabat infirmitate imminere et incurabili morbo a Deo ut eius vita omnino desperetur perduceres autem illum parentes eius ad basilicam beati Wynnini vt inde sanaretur. Qui Deo et beato Wynnino preces cum lacrimis fundebant humilimas: extabat autem ante basilicam crux lapidea miro artificio constructa quam sanctus ipse Wynninus in vita sua propriis manibus in honore beate Brigide virginis erexerat ad quam iuuenem languidum affligebant et nomen sancti viri sepius inuocabant orantes igitur paululum sacerdotum consilio basilicam ingrediuntur languido coram eo deposito et paulisper requie data statim resipiscebat domum que denuo ferentes prestine sanitati restitutus est.

§ 3. DATE OF THE FOUNDATION.

It is remarkable that the exact date of the foundation of the Monastery of Kilwinning is not given in any of the published chronicles.

Chalmers¹ says that it was founded in 1140, by Hugh Morville, Constable of Scotland, and cites the Chronicle of Melrose as his authority. But that chronicle, while it notes the death of the Constable in 1162, and his foundation of Dryburgh,² never mentions Kilwinning. Spottiswoode gives the same date.³ Crawford, in his *History of Renfrewshire*, places the foundation in the reign of Malcolm IV., and therefore between 1153 and 1165.⁴ Another account says that the founder was the son of the founder of Dryburgh, and that the date of foundation was 1157.⁵

The transcript of Pont, in the Advocates' Library at Edinburgh (which, however, is very incorrect), gives 1191 as the date of the foundation, and

¹ *Caledonia*, vol. iii. p. 484.

² *Chron. de Mailros*, p. 78.

³ Keith, p. 407 (ed. 1824).

⁴ P. 121 (ed. 1818).

⁵ Copy extract from register at London, No. 279, at Eglinton. Every effort to find the original of this in London has failed.

Richard de Morville as the founder ; but if he was the founder the date is wrong, as he certainly died in 1189.¹

Dempster states that it was founded by Hugh de Morville “ nepos illius qui S. Thomam Cantuarensem interfecit ;” but does not give any date.²

In a List of Monasteries in Scotland, appended to some of the MSS. of the Liber Pluscardensis, the following entry occurs :—

“ Kylwynnyn in Connyngham Tironensis. Fundator Morvile.”³

In the absence of the original chartulary it is useless to speculate as to who the real founder was, and when the foundation actually took place.

§ 4. SEALS BELONGING TO KILWINNING ABBEY.

The following Seals of the Monastery of Kilwinning have been preserved :—

No. 1.

The Common Seal of the Abbot and Convent of the Monastery of Kilwinning—



Regarding this seal, Mr. Laing, in his work on *Scottish Seals*, has the following observations :—

“ This is a round seal, of an exceeding rich and beautiful design, representing within a Gothic niche the Virgin with the infant Jesus ; the background ornamented with foliage.”⁴

¹ *Chron. de Mailros*, p. 98.

⁴ *Laing's Scottish Seals*. Ban. Club (1850),

² *Apparatus ad Historiam Scot.* (1622), p. 69. p. 191, No. 1063.

³ *Liber Pluscardensis* (1876), p. 403.

No. 2.

Counter Seal of the last—



“Within a Gothic niche a figure of a monk (St. Winnin) with a crozier in his right hand, and a book in his left.

“The form of the letters, as well as the execution of the design of this counter seal, evidently proves it the work of a later period than the previous number, which is probably as early as the fourteenth century, when the art was in the highest state of perfection. Most likely the original matrix of the counter seal had been lost, and this one substituted by an artist of inferior skill a short time previous to the date [1557] of the instrument to which it is appended.”¹

No. 3.

Seal of an Abbot of Kilwinning²—

¹ Laing's *Scottish Seals*, p. 191, No. 1064.

² This engraving has been done from the original now in the Public Record Office.

"Much defaced half-length figure of the Virgin and infant Jesus within a Gothic niche; in the lower niche is a figure of a monk kneeling at prayer."¹

Another Seal of this Monastery is recorded, but every effort to meet with an original of it has been unsuccessful hitherto.

On the 12th April 1852 W. H. Scott, Esq., exhibited, at a Meeting of the Society of Antiquaries of Scotland, a seal of Kilwinning Abbey, which precisely corresponded with the seal No. 1 on the obverse, and bore a reverse of the same type as No. 2, but superior in style and execution, with the legend S · COMMVNE · ABBIS ET CONVENTVS MONASTERII · DE · KYLWYNYN, in lettering of the same period as No. 1.²

Unfortunately no drawing or impression of it was taken; and though the seal is alluded to by General Hutton in his MS. Collections, no drawing of it is given there.

§ 5. CHARTERS AND OTHER DOCUMENTS RELATING TO THE HISTORY OF THE ABBEY OF KILWINNING.

1. *De . iij. petris Cere de monachis de Kilwinin annuatim glasguensi episcopo debit.*—[1202-1207.]³

Omnibus Sancte matris ecclesie filiis . N⁴ . abbas de kilwinin et conuentus eiusdem loci Salutem in domino . Sciatis nos concessisse dedisse et hac carta nostra confirmasse domino nostro florencio⁵ Glasguense Electo . et successoribus suis tres petras cere annuatim eis reddendas infra octauas sancti Jacobi apostolici apud Rochesburc . propter deuocionem quam habemus erga ipsum et ecclesiam Glasguensem . Hiis testibus . H.⁶ decano Glasguensi . Domino Roberto arch. Glasguensi⁷ . Domino . J . de Huntendon officiali⁸ . Magistro Roberto . de Hedun . Willelmo decano de Cuningham⁹ .

¹ Laing, p. 191, No. 1065.

² *Proc. Soc. Ant. of Scot.*, vol. i. p. 70.

³ *Registrum Episcopatus Glasguensis* (Mait. Club, 1843), vol. i. p. 84, No. 98.

⁴ Nigel was Abbot of Kilwinning about 1201-1212.

⁵ Florentius, a son of the Earl of Holland, was elected Bishop of Glasgow in 1202, and resigned in 1207.—*Chron. de Mailros*, pp. 105, 106.

⁶ Herbert, Dean of Glasgow, appears frequently at this time as a witness.—*Regist. Glas.*, pp. 42, 81, 83, 84.

⁷ Robert, Archdeacon of Glasgow, died in 1222.—*Chron. de Mailros*, p. 140.

⁸ John of Huntingdon witnesses several deeds in the *Regist. Glas.*, pp. 72, 76, 83, 84.

⁹ William, Dean of Cuninghame, died in 1211.—*Chron. de Mailros*, p. 110.

Alexandro . Idello capellanis . David persona ecclesie ville Stephani . Michaelae clerico . Decani . et pluribus aliis.

ABSTRACT.

Grant by the abbot and convent of Kilwinning, to Florence, their lord, elect of Glasgow, and his successors, of three stones of wax annually to be paid to them in the octaves of St. James the Apostle, at Roxburgh; and this on account of the devotion which they bore towards the church of Glasgow.

2. *Super portione abbati et conventui de Kylwynnyne et nobis in parochia de Lawder concessa.*—[Circa 1222.]¹

Omnibus has literas, etc. Alanus filius Rollandi Scotie constabularij salutem. Noveritis nos concessisse dedisse et hac presenti carta nostra confirmasse abbatibus et conventibus de Kilwynnyn et de Driburgh totam illam portionem quam magister Andreas de Moravia tenuit in parrochia ecclesie de Lauder scilicet decimas de Treburne de Pilmor de terra Valteri Hostiarij de terra Martini scilicet Withlaw et de Langelt et de terra Hutteredi de Langelt et Hailisepeth et de terra Samsonis scilicet Todlaw et de Aldenistoun et de Welpelaw et de Lyolstoun et de Burncastall et si quid de novo infra fines istarum villarum emergat libere quiete et plenarie et honorifice a nobis et heredibus nostris pro bono pacis perpetuo possidendam. Volumus autem ut ille qui pro tempore in ecclesia dicta persona fuerit nullam eis super eadem portione inferat molestiam vel gravamen. Et ut hec nostra donatio et concessio robur optineat firmitatis eam presenti scripto et sigilli nostri munimine roboramus. Testibus, etc.

[The names of the witnesses are not given.]

ABSTRACT.

Charter by Alan,² son of Roland, Constable of Scotland, giving, granting, and confirming, to the Abbots and Convents of Kilwinning and Dryburgh,

¹ *Liber S. Marie de Dryburgh* (Ban. Club, 1847), p. 62, No. 85.

² Alan, Constable of Scotland, Lord of Galloway and Cunninghame, was the son of Roland,

Lord of Galloway, and Eva or Ela de Moreville, daughter of Richard de Moreville, and granddaughter of Hugh de Moreville. Alan died in 1234.—*Chron. de Mailros*, p. 144.

all that portion which Master Andrew of Murray¹ held in the parish of the church of Lauder : To wit the teinds of Treburne, of Pilmor, of the land of Walter Hostiarius, of the land of Martin (to wit Withlaw), and of Langelt, and of the land of Hutred of Langelt, and Hailisepath, and of the land of Samson (to wit Todlaw), and of Aldenistoun, and of Welpelaw, and of Lyolstoun, and of Burncastall, with their pertinents, to be possessed, freely and quietly, from him and his heirs for the perpetual good of peace ; declaring also that he who shall be for the time parson of the said church shall suffer no trouble or grievance from those upon the same portion ; and that this his grant may be sure, it is strengthened by the present writing and his seal.

3. *Sentencia iudicum super portione quam abbas et conventus de Kylwynnyne recipiunt in parrochia de Lawder et conventio inter dictos abbatem et conventum et nos super decimis in parrochia predicta existentibus.*—[Circa 1222.]²

Omnibus Christi fidelibus etc. Laurentius archidiaconus sancti Andree Ricardus de May et [] de Dunfermyne priores salutem in Domino. Mandatum domini Pape in hec verba suscepimus. Honorius episcopus servus servorum Dei dilectis filiis archidiacono Sancti Andree et de May et de Dunfermyne prioribus sancti Andree diocesis salutem et apostolicam benedictionem. Querelam dilectorum filiorum abbatis et conventus de Dryburgh Premonstratensis ordinis recepimus continentem quod abbas et conventus de Kilwenyne et quidam alij Glasguensis et sancti Andree diocesis super ecclesia de Lauder ad eos de jure spectante ac rebus alijs injuriantur eisdem. ideoque discretionis vestre per apostolica scripta mandamus quatenus partibus convocatis audiatis causam et appellatione remota fine debito terminetis facientes quod decreveritis per censuram ecclesiasticam firmiter observari. Testes autem qui fuerint nominati si se gracia odio vel timore subtraxerint per censuram eandem cessante appellatione cogatis veritati testimonium perhibere. quod si non omnes hijs exequendis potueritis interesse duo vestrum ea nichilominus exequantur. Datum Lateran vij idus Julij pontificatus nostri anno quinto. Hujus igitur auctoritate mandati

¹ Andrew de Burr became Bishop of Moray 138, 155 ; Keith's *Scottish Bishops* (Ed. 1824), in 1222, and died 1242.—*Chron. de Mailros*, pp. p. 138.

² *Liber S. Marie de Dryburgh*, p. 61, No. 84.

partibus convocatis et in presencia nostra constitutis cum diu coram nobis causa inter abbatem et conventum de Driburgh ex parte una et abbatem et conventum de Kilwynnyne ex altera super ecclesia de Lauder esset ventilata tandem dicte partes amicorum communium et prudentium virorum consilio Deo volente sub hac forma amicabiliter composuerunt. scilicet quod prefate partes de consensu et assensu domini Alani filij Rollandi Scotie constabularij libere debent percipere et quiete cum omni juris sui integritate perpetuo possidendam et mediante bonorum virorum consideratione dimidiare in omnibus illam portionem quam magister Andreas de Moravia in eadem ecclesia tenuit tempore litis mote inter partes scilicet omnes decimas de Treburne de Pilmour de terra Valteri Hostiarij de terra Martini scilicet Withlaw et de Langelt et de terra Huttredi de Langelt et de terra Ailinus-peth et de terra Samsonis scilicet Todlaw et de Aldenistoun et de Welpelaw et de Ilistoun et de Burnecastell et si quid de novo infra istarum Villarum fines emergat salvis ecclesie de Lauder obventionibus tantum. Ad hujus autem rei stabilitatem et pacem inter predictas partes perpetuam utraque pars in verbo Domini fide media auctoritate nostra interveniente fideliter se dictam amicabilem compositionem servaturam et nullo tempore contraventuram promisit nostrorum insuper signorum testimonia ad majorem fidei cautelam signis partium simul appositis duximus apponenda. Acta sunt hec anno gracie millesimo ducentesimo vigesimo secundo apud Eryvne. Hujus compositionis testes sunt dominus Thomas comes Atholie.¹ dominus Fergutianus de Glenkarn. dominus Rogerus de Craufurd et alij.

ABSTRACT.

Decree pronounced by Laurence,² Archdeacon of St. Andrews, Richard, Prior of May,³ and the Prior of Dunfermline, judges appointed under the mandate of Pope Honorius III., in the complaint by the Abbot and Convent of Dryburgh against the Abbot and Convent of Kilwinning, in regard to their respective rights in the church and parish of Lauder, to the effect that they ought to divide the teinds of Treburne, of Pilmour, of the lands of Walter Hostiarius, of the land of Martin (to wit Withlaw), Langelt, and the

¹ Thomas, fifth Earl of Athol, and brother of Alan of Galloway, died in 1231.—*Chron. de Mailros*, p. 142; Douglas' *Peerage* (1813), vol. i. p. 132.

² Laurence became Archdeacon of St. Andrews in 1209.—*Chron. de Mailros*, p. 108.

³ Records of the Priory of the Isle of May (Edin. 1848).—*Preface*, p. lxij.

land of Huttred of Langelt, Ailinuspath, Samson's land (to wit Todlaw), and of Aldenistoun, and of Welpelaw, Ilistoun, and Burnecastell, being the portion which belonged to Master Andrew of Moray in the said church at the time the dispute arose; to which the parties, by the advice of friends, and with consent of Alan, son of Roland the Constable of Scotland, solemnly agreed upon their oath.

Done at Irvine in the year 1222.

4. *Confirmatio episcopi super conventionione inter nos et Kilwynnyn super ecclesia de Lawder.*—[Circa 1222.]¹

Willelmus Dei gracia episcopus sancti Andree omnibus Christi etc. eternam in Domino salutem. Ad universitatis vestre noticiam volumus pervenire nos amicabilem compositionem inter dilectos filios abbates et conventus de Driburgh et de Kylwynnyn et dominum Alanum filium Rollandi constabularij Scotie coram viris venerabilibus archidiacono sancti Andree et de May et de Dunfermlyn prioribus judicibus a domino Papa delegatis sicut canonice facta est super jure advocacionis [ecclesie] de Lauder et de decimis quibusdam ad eandem ecclesiam pertinentibus ratam habuisse et eandem prout in attentico predictorum judicum delegatorum continetur quo ad nos spectat auctoritate pontificali confirmasse. Ad cujus rei majorem securitatem presenti scripto sigillum nostrum duximus apponendum. Testibus etc. [Names not given.]

ABSTRACT.

Confirmation by William,² Bishop of St. Andrews, of the agreement entered into between the Abbeys of Dryburgh and Kilwinning and Alan son of Roland, Constable of Scotland, in regard to the right of patronage of the Church of Lauder, and teinds of the same.

5. *Confirmatio capituli Sancti Andrew super eadem.*—[Circa 1222.]³

Omnibus Christi etc. Symon⁴ Dei gracia prior ecclesie sancti Andree

¹ *Liber S. Marie de Dryburgh*, p. 63, No. 86. in 1238.—*Chron. de Mailros*, p. 143; Grub's

² William Malvoisine became Bishop of St. *Eccles. Hist.*, vol. i. p. 316.
Andrews in 1202, and continued till his death ³ *Liber S. Marie de Dryburgh*, p. 63, No. 87.

⁴ Simon, Prior of St. Andrews, resigned in 1225.—Gordon's *Monasticon*, p. 76.

apostoli in Scotia et ejusdem loci conventus humilis eternam in Domino salutem. Ad universitatis vestre noticiam volumus pervenire nos amicabilem compositionem inter carissimos fratres et amicos nostros abbates et conventus de Driburgh et de Kilewynnyn et nobilem virum dominum Alanum filium Rollandi constabularij Scotie coram viris venerabilibus archidiacono sancti Andree et de May et de Dunfermlyn prioribus judicibus a domino Papa delegatis sicut canonice facta est super jure patronatus ecclesie de Lawder et decimis quibusdam ad eandem ecclesiam pertinentibus ratam habuisse et eandem prout in attentico predictorum judicum delegatorum continetur quo ad nos spectat confirmasse et ad majorem hujus rei securitatem presenti scripto sigillum nostrum duximus apponendum. Teste toto nostro capitulo.

ABSTRACT.

Confirmation by Simon, prior of St. Andrews, of the agreement between the Abbeys of Dryburgh and Kilwinning, in regard to the patronage and teinds of the Church of Lauder.

6. *Super compositione inter nos et Kilwynnyn de ecclesia de Lawder.*

[24th March 1229.]¹

Gregorius episcopus servus servorum Dei dilectis filiis abbati et conventui de Driburgh Premonstratensis ordinis salutem et apostolicam benedictionem. Ea que judicio et concordia terminantur firma sunt [*debent*] et illibata persistere et ne residere contemptionis [*contentionis*] scrupulum relabantur apostolico convenit presidio communiri. Exhibita nobis vestra petitio continebat quod cum inter vos ex una parte et abbatem et monachos de Kilwynnyn Glasguensis diocesis ex altera coram archidiacono sancti Andree et suis conjudicibus super jure patronatus ecclesie de Lauder quibusdam decimis et obvencionibus auctoritate apostolica questio verteretur tandem mediantibus judicibus ipsis inter partes compositio intervenit quam apostolico petivistis munimine roborari. Nos igitur vestris justis precibus inclinati compositionem ipsam sicut rite ac sine pravitare provide facta est et ab utraque parte sponte suscepta et hactenus pacifice observata necnon in literis exinde confectis plenius dicitur contineri auctoritate apostolica confirmamus et presentis scripti patrocinio communimus. Nulli ergo hominum

¹ *Liber S. Marie de Dryburgh*, p. 213, No. 266.

liceat hanc paginam nostre confirmationis infringere aut ei ausu temerario contraire. si quis autem hoc attemptare presumpserit indignationem omnipotentis Dei et beatorum Petri et Pauli apostolorum ejus se noverit incursum.

Datum Perusij nono kalendas Aprilis pontificatus nostri anno tertio.

ABSTRACT.

Confirmation by Pope Gregory the Ninth of the Decreet and Agreement in regard to the respective rights of the Abbeyes of Dryburgh and Kilwinning, to the patronage and teinds of the Church and Parish of Lauder.

Given at Perugia, 24th March 1229.

7. *De ecclesiis de Ardrossan et de Dalri.*—[1226.]¹

Anno gracie m^o cc^o xx^o sexto. Cum controuersia mota fuisset super pluribus articulis Inter Dominum Walterum episcopum Glasguensem ex parte vna et Johannem abbatem et conuentum de Kilwinin ex altera. tandem communium amicorum consilio sub hac forma quieuit. Concessit dictus episcopus caritatis Intuitu dictis abbati et conuentui sexdecim solidos nomine pensionis. de ecclesia de ardrossan percipiendos per manum ministrantis In eadem. Dicti uero monachi remiserunt omnino causam quam mouerant super ecclesia de dalri petendo eam In capellam. renunciantes impetratis et Inpetrandis in perpetuum. Adeo quod de cetero nec episcopum. nec clericum. dictam ecclesiam tenentem fatigabunt super ea que matrix ecclesia perpetuo remanebit. Monachi uero prefati presentabunt episcopo capellanos ydoneos ad ecclesias suas in usus proprios sibi concessas. cum uacauerint. ad canonicam et sufficientem sustentationem indeterminate. Ita scilicet quod si ex post facto apparuerit ex incerta et indeterminata. sustentatione defectus: si predicti monachi ab episcopo ammoniti defectum non emendauerint: dictus episcopus de ipsis ecclesiis defectum rationabiliter supplebit. Capellanos uero eorum ydoneos sibi presentatos sine contradictione rationabili: dilatione postposita recipiet. vicarii quidem eorum aliquas contra ipsos querimonias deponentes quas probare. non possint; canonice punientur. Et si qui uicariorum qui episcopo fuerint presentati processu temporis reperti fuerint minus ydonei seu debitam facere contempserint

¹ *Registrum Episcopatus Glasguensis*, vol. i. p. 118, No. 140.

residentiam : per episcopum Legittime ammoueantur . Hoc idem autem In uicariis prius ordinatis obseruabitur . Concessit insuper ut si uicarii eorundem monachorum infra xl^a dies post terminum suum sibi debitam non soluerint pensionem ex tunc per ipsum uel officiales suos et decanos auctoritate sua ab officio et beneficio usque adolucionem. uel satisfactionem condignam suspendantur . Cedentibus autem uel decedentibus uicariis predictarum ecclesiarum custodia ecclesiarum remanebit . In manu episcopi usque ad ordinationem vicariorum . [ita] tamen quod occasione illius custodie non monachis depereat In hiis que de Jure percipere debebunt . Sentenciam autem excommunicationis uel interdicti quam episcopus in parochia sua rationabiliter tulit ; ipsi in parochialibus ecclesiis suis obseruabunt Saluis priuilegiis et autenticis scriptis utriusque partis et diocesani canonica Justicia . Presens autem compositio sigillis partium ad maiorem securitatem et ut debitam optineat firmitatem confirmatur . Hiis Testibus domino Hugone¹ abbate de driburg . domino Ricardo de alnecram officiali . domino J. decano de ualle clud . domino R. de prebenda . Magistro H. de pottoun . domino P. de Perthec . Magistris H. et A. Capellanis domini episcopi . domino Valentino Canonico de Lanare . Magistro Radulfo de Brade . Magistris yngelramo . Roberto . Waltero . Andrea . clericis domini episcopi . Alexandro de Herssille . Roberto de hirewine et multis aliis.

ABSTRACT.

Agreement between Walter, Bishop of Glasgow, on the one part, and John, Abbot of Kilwinning, and the convent thereof, on the other, whereby, on the advice of common friends, the bishop granted to the abbot and convent sixteen shillings in name of pension, payable from the church of Ardrossan, by the hand of the minister thereof; and the said abbot and convent abandoned the plea which they had instituted regarding the church of Dalry, seeking it as a chapel; and they renounced all that had been, or might be, obtained in that matter; so that henceforth they should not trouble the bishop, nor the clerk holding the said church, in regard to that which shall for ever remain a mother church. The foresaid monks also shall present to the bishop qualified chaplains for the churches granted to them, when they shall happen to be vacant, with a lawful and sufficient

¹ Hugh was Abbot 1221-1228.—Gordon's *Monasticon*, vol. i. p. 335.

sustentation, indeterminately. If, however, it should afterwards be found that any inconvenience arose from the uncertain and indeterminate sustentation, and if the said monks, after being admonished by the bishop, failed to remedy the defect, the bishop shall supply what is needed from the churches themselves: Further, he shall not delay to receive those qualified chaplains presented to him without reasonable contradiction: Those of their vicars who shall make complaints against them which they cannot prove, shall be lawfully punished; and if any vicars presented to the bishop shall afterwards be found disqualified, or despise due residence, they may be lawfully proceeded against by the bishop; and the same rule shall be observed in reference to those vicars previously ordained: It is also granted that if the vicars of the said monks shall not pay the pension due to them within forty days after the term, they shall be suspended by the bishop, or his officials and deans, by his authority, until satisfaction be made. When vicars resign or decease, the custody of the foresaid churches shall remain in the hands of the bishop, without loss to the monks of what is due to them in the said churches. Moreover, sentence of excommunication or interdict, pronounced by the bishop on reasonable grounds, shall be observed in their respective parishes; saving the privileges and authentic writings of both the parties, whose seals are appended in confirmation.

8. *Obligatio pro redemptione monachi captivi facienda.*

[21st August 1312.]¹

Venerabili in Christo patri domino Ade² Dei gracia Abbati de Kylwynnyn Frater Bernardus³ eiusdem permissione Abbas de Aberbrothoc et eiusdem loci conuentus salutem et sinceram in Domino caritatem. Quia nuper intelleximus quod frater Johannes⁴ dudum abbas monasterii de Aberbrothoc et modo simplex monachus de guerra captus fuit in Anglia per Petrum de Strathern seu per quosdam de familia ipsius et detentus est tanquam captiuus penes ipsos pro redempcione facienda. Paternitatem vestram affectuose duximus exorandam quatinus eundem de manibus ipsorum

¹ *Liber S. Thome de Aberbrothoc* (Ban. Club, 1848), p. 288, No. 333.

² This is an Abbot not hitherto noticed. He occurs again in 1327. See p. 165.

³ Bernard de Linton was Abbot of Arbroath from 1303 till 1327. He was Chancellor of

Scotland from 1307 to 1327.—*Crawford's Officers of State*, p. 17.

⁴ John of Angus was Abbot in 1303, and was carried prisoner of war into England. He was loosed from his office in 1309.—*Gordon's Monasticon*, p. 517.

liberantes pro ipso velitis nomine nostro fideiubere . Ita videlicet quod si discretio domini nostri regis et consilii sui dictauerit quod pro tali simplici monacho redempcio fuerit facienda : ad arbitrium eorundem libenter faciemus et respondebimus pro redemptione eiusdem prout ordinatum fuerit per eosdem vel ipsum eisdem liberabimus in statu quo nobis presentatur. Et ipsum sic vobis deliberatum dompno Nicholao de Lundy commonacho nostro vel Ade Wayt et Thome de Dalgernoc liberetis ad nostrum monasterium reducendum. Quod vero pro fideiussione predicta feceritis ratum habebimus et vos ac monasterium vestrum apud omnes indempnes conseruabimus et hoc vobis fideliter promittimus per presentes sigillo nostro communi patenter roboratas. Datum in capitulo nostro apud Aberbrothoc vigesimo primo die Augusti anno gracie millesimo trecentesimo duodecimo.

ABSTRACT.

Letters of Obligation by Bernard, Abbot of Aberbrothoc, whereby he requested Adam, Abbot of Kilwinning, to become surety in his name for John, sometime Abbot of Aberbrothoc, and now a simple monk, who had been taken prisoner in war in England by Peter of Strathern, or certain of his people, and was detained a prisoner by them for the purpose of ransom, to the end that he might be set free from their hands ; so that if the King and council should determine that ransom should be made for such a simple monk, the Abbot of Aberbrothoc would willingly answer and do at their arbitration whatever should be resolved on for his ransom, or deliver him to them in the state in which he should be presented to him : and requesting that the prisoner, when delivered to the said surety, should be committed to Sir Nicholas of Lundy, fellow-monk of the Abbot of Aberbrothoc, or to Adam Wayt and Thomas of Dalgernoc, to be brought back to the monastery of Aberbrothoc : Promising to hold firm and stable whatever the Abbot of Kilwinning should do in the foresaid surety-making, and to keep him and his monastery skaithless from all men.

9. *Carta Abbatis et conuentus de Kylwinnyn.*—[Circa 1315.]¹

Robertus, etc. Sciatis nos pro salute anime nostre et pro salute omnium antecessorum et successorum nostrorum regum Scocie . dedisse concessisse et hac presenti Carta nostra confirmasse deo et beate Marie virgini et beato

¹ *Registrum Magni Sigilli* (1814), p. 9, Roll I. No. 40.—Robertson's *Index*, p. 6, No. 40.

Wynino ac Abbati et monachis de Kŷlwŷnnŷn et eorum monasterio totam terram que vocatur le Hallande¹ cum pertinenciis iuxta burgum de Irwyn. Tenendam et habendam dictis monasterio Abbati et Monachis ibidem deo seruientibus et eorum successoribus inperpetuum in liberam puram et perpetuam elemosinam adeo libere et quiete plenarie et honorifice cum omnibus libertatibus commoditatibus aysiammentis et iustis pertinenciis suis sicut aliquam elemosinam eis concessam liberius quiccius plenius et honorificencius tenent seu possidant preterea remisimus et quietum clamauimus ac clamamus predictis Abbati et Monachis et eorum successoribus inperpetuum illos viginti solidos quos annuatim pro terra sua de Kilmernoc heredibus de balliolo reddere solebant Ita quod inde de cetero nemini teneantur respondere. In cuius rei, etc.

[The names of the witnesses are not given.]

ABSTRACT.

Charter by King Robert the Bruce in favour of the Abbot and monks of Kilwinning and their monastery, of the lands of Hallande, near the burgh of Irvine, to hold to them and their successors in free, pure, and perpetual alms; the King also remitting in their favour twenty shillings which they were accustomed to pay yearly to the heirs of Baliol for the land of Kilmarnock.

10. *A Charter from Robert I. to the Abbey of Kilwinning, granting a fishing in Leven and Clyde, is noticed in Robertson's Index, but cannot now be found.*²

11. *Judicibus, ut donationem iuris patronatus et advocacionis in ecclesia de Dunbretan Glasguensis diocesis factam per Robertum quondam regem Scotiae, et concessionem eiusdem ecclesiae factam per Joannem episcopum Glasguensem monasterio de Kŷlwŷnnŷn confirment.*—*Reg. An. xiv. Com. Par. iv. Epist. 266.*—[2d November 1329.]³

Johannes Episcopus, etc. Dilectis filiis Bertrando Cariti Archidiacono Vauriensis et Raymundo de Quercu Canonico Lingoniensis ecclesiarum, in Regno Scocie nostris et apostolice sedis nuntiis, salutem, etc. Significavit nobis Carissimus in Christo filius noster David Rex Scocie Illustris quod

¹ This cannot now be identified.

² Robertson's *Index*, p. 3, No. 19.

³ Vatican MSS.—*Vetera Monumenta Hibernorum et Scotorum*, p. 247, No. 486.

olim clare memorie Robertus Rex Scocie pater suus, dum vitam duceret in humanis, ad Monasterium ss. Marie et Wynnini de Kylwynin ordinis s. Benedicti Glasguensis diocesis, et personas ipsius specialis gerens devotionis affectum, ius patronatus et advocacionem, quod et quam habebat in parrochiali ecclesia de Dunbretan¹ dicte diocesis, dilectis filiis . . . Abbati et Conventui ac Monachis ipsius Monasterii pro sue, ac predecessorum et successorum ipsius animarum salute donavit in perpetuum et concessit, Quodque postmodum venerabilis frater noster Johannes Episcopus Glasguensis attendens hospitalitates, que fiebant in Monasterio memorato, ecclesiam supradictam, dilectorum filiorum Capituli sui ecclesie Glasguensis accedente consensu, eisdem Abbati et conventui auctoritate ordinaria concessit in eorum usus proprios et donavit, reservata tamen de ipsius ecclesie proventibus perpetuo vicario inibi servituro congrua portione ex qua possit congrue sustentari Episcopalia iura solvere, et alia sibi incumbentia onera supportare, prout in eorundem Regis ac Episcopi et Capituli patentibus litteris inde confectis, eorumque sigillis munitis dicitur plenius contineri . Quare idem David Rex nobis humiliter supplicavit ut cum predictae littere non possint tute propter magnam locorum distanciam ad sedem apostolicam destinari, aliquibus discretis in partibus illis committere dignaremur, ut si eis ita esse constaret, quod per dictos Regem, Episcopum et Capitulum super hiis factum est, confirmationis apostolica auctoritate ex certa scientia munimine roborarent. Nos itaque ipsius Regis devotis supplicationibus inclinati, ac de circumspectione vestra plenam in domino fiduciam obtinentes, discretioni vestre per apostolica scripta committimus et mandamus, quatenus si inveneritis ita esse quod per dictos Robertum Regem, ac Episcopum et Capitulum super premissis factum est, auctoritate nostra confirmetis, iure tamen cuiuslibet alterius in omnibus semper salvo, tenorem dictarum litterarum huiusmodi confirmationis vestris litteris inserendo, Contradictores, etc. Datum Avinione iiii. Nonas Novembris, Pontificatus nostri anno quarto decimo.

ABSTRACT.

Letters by Pope John XXII., directed to Bertrand Cariti, archdeacon of the church of Lavaur, and Raymund de Quercu, canon of the

¹ See *Chart. Lennox*, vol. ii. p. 130, quoted by Chalmers, *Caledonia*, vol. iii. p. 902. At the Reformation the Church of Dunbarton yielded a clear revenue of £66 : 13 : 4.

church of Langres, his nuncios in the realm of Scotland, whereby, on the narrative that David, King of Scotland, had given him to understand that Robert, King of Scotland, his father, had granted the right of patronage and advocacy which he had in the parish church of Dunbarton, in the diocese of Glasgow, to the abbot and convent and monks of the monastery of St. Mary and St. Wynnin of Kilwinning, of the order of St. Benedict, of the diocese of Glasgow, for the affection he bore it and the persons thereof, for the weal of his soul and the souls of his predecessors and successors : And that afterwards the Pope's venerable brother, John, Bishop of Glasgow,¹ with consent of his beloved sons the Chapter of the Church of Glasgow, by his ordinary authority granted the said church to the foresaid monastery for their proper uses ; reserving from the proceeds thereof a suitable portion for a vicar to serve the cure, by which he might be suitably maintained and the Episcopal rights be paid, as was said to be more fully contained in the letters patent of the said King, and of the Bishop and Chapter thereupon made and confirmed with their seals : Wherefore the said King David had made a humble supplication to the Pope, that since the foresaid letters could not be safely sent to the Apostolic See owing to the great distance, he would be pleased to give a commission to certain men of discretion in these parts, that if the premises were found to be as formerly stated, they should ratify the same with the authority of Apostolic confirmation ; and being well inclined to the King's request, and well satisfied of their discretion, the pope granted commission to the said nuncios, charging them, that on finding that it had been so done by King Robert, and by the Bishop and Chapter anent the premises, he should confirm the same by the Pope's authority, reserving the rights of every one.

12. *Iisdem iudicibus ut unionem per Episcopum Glasguensem supradicto monasterio de Kylwynin de quibusdam perpetuis vicariis factam confirment.*—*Reg. An. xiv. Com. Par. iv. Epist. 264.*—[Nov. 1329.]²

Johannes Episcopus, etc. Dilectis filiis Bertrando Cariti archidiacono Vauriensis et Raymundo de Quercu canonico Lingoniensis ecclesiarum, in

¹ John Lindsay was Bishop of Glasgow from 1326 to 1335.—Keith, p. 243 ; Grub's *Eccles. Hist.* vol. i. p. 345, note 4.

² Vatican MSS., p. 248, No. 487.

Regno Scocie nostris et apostolice sedis nuntiis, salutem, etc. Petitio carissimi in Christo filii nostri David Regis Scocie illustris nobis exhibita continebat, quod bone memorie Robertus Episcopus Glasguensis, dum adhuc vitam ageret in humanis, attendens quod Monasterium sanctorum Marie et Wynnini de Kylwynin ordinis sancti Benedicti Glasguensis diocesis, propter diversarum guerrarum discrimina et frequentes incursus malignantium, ac propter ecclesias destructas ipsius monasterii et possessiones eiusdem in redditibus attenuatas, dilecti filii . . . Abbas et Conventus dicti Monasterii ad tantam inopiam et paupertatem devenerant quod sufficientes redditus non habeant, unde possent commodè sustentari, ac ob hoc dictus Episcopus eisdem Abbati et Conventui affectu pio compatiens de Kylmernoc et de Beth ecclesiarum perpetuas vicarias Glasguensis diocesis in quibus vicariorum presentatio ad eosdem Abbatem et Conventum antea pertinebat, dilectorum filiorum Capituli Glasguensis ad hoc accedente consensu, eisdem abbati, conventui et monasterio tam pro ipsorum et pauperum ibi consistentium sustentatione, quam etiam ad manutenendum hospitalitatem que fieri consuevit ibidem, in usus proprios tradidit in perpetuum et concessit, prout in litteris inde confectis, eiusdem Episcopi sigillo munitis dicitur plenius contineri. Quapropter idem Rex nobis humiliter supplicavit, ut in illis partibus aliquibus discretis committere dignaremur, ut si eis ita esse constaret quod per dictum Episcopum super hoc pie et provide factum est, id ex certa scientia debeant confirmare: Nos itaque ipsius Regis supplicationibus inclinati, ex de vestre circumspectionis industria plenam in domino fiduciam obtinentes, discretionis vestre per apostolica scripta committimus et mandamus, quatenus si inveneritis ita esse, quod per dictum Episcopum super predictis provide factum est auctoritate nostra confirmare curetis, iure tamen cuiuslibet alterius in omnibus semper salvo, tenorem dictarum litterarum ipsius Episcopi huiusmodi confirmationis vestris litteris inserentes, Contradictores auctoritate nostra, etc. Datum Avinione iiii. nonas Novembris, pontificatus nostri anno quarto decimo.

ABSTRACT.

Letters by Pope John XXII. to Bertrand Cariti, archdeacon of the church of Lavaur, and Raymund de Quercu, canon of the church of Langres, nuncios of the Pope and the Apostolic See in Scotland, proceeding on a

petition by David, King of Scotland, bearing that Robert,¹ Bishop of Glasgow, in his lifetime, considering the state of the monastery of St. Mary and St. Wynnin of Kilwinning, of the order of St. Benedict, of the diocese of Glasgow, on account of losses by various wars and frequent inroads of enemies, and that the churches of the monastery were destroyed and their possessions and rents diminished, the Abbot and convent were reduced to such a state of want and poverty, that they had not rents sufficient to maintain them in a suitable manner: And the said Bishop taking compassion on their case granted to them for ever, with consent of the chapter of Glasgow, the perpetual vicarages of the Kirks of Kilmarnock and of Beith, in the diocese of Glasgow, the presentation of the vicars of which had formerly belonged to the said Abbot and convent, gifting them to the said Abbot, convent, and monastery, for their maintenance and that of the poor living there, and for upholding of the hospitality that was wont to be kept there; as was said to be more fully contained in the Bishop's letters thereupon made: Wherefore, on the King's request for confirmation, if these things were well and piously done, the Pope committed to them by this apostolic writ, and charged them to confirm what was done by the Bishop with the Pope's authority, inserting the tenor of the Bishop's letters in such confirmation.

13. *Iisdem indicibus, ut donationem iuris patronatus cuiusdam parochialis ecclesiae factam per Walterum comitem de Monethet, et concessionem eiusdem ecclesiae factam per Andream episcopum Ergadiensem prefato monasterio de Kylwynin confirment. Ibidem, Ep. 265.—[1329.]*²

Johannes Episcopus, etc. Dilectis filiis Bertrando Cariti archidiacono Vauriensis et Raymundo de Quercu canonico Lingoniensis ecclesiarum, in Regno Scocie, nostris et apostolice sedis nuntiis, Salutem, etc. Petitio carissimi in Christo filii nostri David Regis Scocie illustris nobis exhibita continebat, quod quondam Walterus comes de Monethet, dum vitam ageret in humanis, pro sue ac uxoris, et antecessorum et successorum suorum ani-

¹ Robert Wischeart was Bishop of Glasgow from 1272 till his death in 1316.—Keith, p. 241. Chalmers' *Caledonia*, vol. iii. pp. 617, 618. *Pref. to Char. of Glas.*, pp. xxxv. xxxvi. Palgrave's *Doc. and Records*, pp. 340, 350.

² Vatican MSS., p. 248, No. 488.

marum salute ius patronatus, quod Comes predictus tunc habebat in parochiali ecclesia de Kilmachermat¹ in Cnapedale, tunc capellis sancte Marie in Cnapedale et sancti Michaelis in Inwerlaxo,² cum tribus denariatis terre in Riventos eidem ecclesiae annexis Ergadiensis diocesis, dilectis filiis . . . Abbati et Conventui ac Monachis Monasterii sanctorum Marie et Wynnini de Kylwynyn ordinis sancti Benedicti Glasguensis diocesis concessit in perpetuum et donavit. Quodque postmodum frater (ven.) noster Andreas episcopus Ergadiensis paupertati et tenuitate reddituum mense communis monasterii supradicti, qui ad sustentationem personarum degentium in eodem, et ad hospitalitatem solitam exercendam, ac alia eidem incumbentia honera supportanda minime sufficere noscebantur, pie compatiens eandem ecclesiam cum annexis ac omnibus iuribus et pertinentiis earundem dilectorum filiorum, Capituli sue ecclesie Ergadiensis super hoc interveniente consensu, eisdem Abbati, Conventui ac Monasterio in usus proprios ad sustentationem ipsorum tradidit imperpetuum et concessit, reservata tamen perpetuo vicario inibi servituro de proventibus eius ecclesie congrua portione, ex qua possit congrue sustentari, episcopalia iura solvere, et alia sibi incumbentia onera supportare, prout in patentibus litteris inde confectis dictorum Comitis, Episcopi et Capituli sigillis munitis plenius dicitur contineri. Quare idem Rex nobis humiliter supplicavit, ut quod super hiis per eosdem Comitem ac Episcopum et Capitulum factum est, mandarem per aliquos discretos in illis partibus, si ita esse reperirent auctoritate apostolica ex certa scientia confirmari. Nos igitur eiusdem Regis supplicationibus inclinati, ac de circumspectione vestra super hiis gerentes in domino fiduciam specialem, discretioni vestre per apostolica scripta mandamus, quatenus si premissa inveneritis ita esse, quod per eosdem Comitem ac Episcopum et Capitulum super illis factum est, auctoritate nostra confirmare curetis, iure tamen cuiuslibet alterius in omnibus semper salvo, tenorem dictarum litterarum Comitis, Episcopi et Capituli predictorum huiusmodi confirmationis litteris inserentes Contradictores, etc. Datum Avinione iiii nonas Novembris, Pontificatus nostri anno quarto decimo.

¹ The church of S. Charmaig was in North Knapdale. In 1621 the parsonage and vicarage of Kilmachormack were resigned by John, Commandator of Kilwinning, and annexed by Parlia-

ment to the Bishopric of Argyll. *Orig. Paroch. ii. 39. Acts of Parl. of Scot., iv. p. 652, c. 60. Fasti Eccles. Scot., vol. iii. pt. i. p. 13.*

² Now Kilmichael Inverlussa.

ABSTRACT.

Letters by Pope John XXII. directed to Bertrand Cariti, archdeacon of the church of Lavour, and Raymund de Quercu, canon of the church of Langres, his nuncios in Scotland; whereby, on the narrative that a petition had been presented to him by David, King of Scotland, bearing that the late Walter, Earl of Menteth,¹ for the salvation of his soul and the soul of his wife, etc., granted to the abbot, convent, and monks of the monastery of St. Mary and St. Wynnin of Kilwinning, his right of patronage in the parish church of S. Charmaig in Knapdale, with the chapels of St. Mary in Knapdale and St. Michael in Inverlussa, with three penny lands in Riventos, annexed to the said church, in the diocese of Argyle; and that thereafter Andrew,² Bishop of Argyle, taking compassion on the poverty and smallness of the rents of the common table of the said monastery, with consent of the Chapter of Argyle gave and granted the same to the abbot, convent, and monastery for their proper uses, under reservation of a suitable portion for a perpetual vicar to serve the church there, and sufficient to pay the Episcopal dues, etc. The Pope charged and commanded his nuncios, on finding the facts correctly stated, to confirm the deeds of the earl and bishop and chapter by Apostolic authority.

14. *Monasterio de Kylwynin, ord. S. Benedicti Glasguensis diocec. dantur conservatores.*—*Reg. An. xvii. Com. Par. i. Ep. 1186.*—[October 1332.]³

Johannes Episcopus, etc.; . . . Dilectis filiis . . . de Kelchou et de . . . Culros, Sancti Andree et Dumblanensis diocesum monasteriorum abbatibus, ac archidiacono Glasguensi, salutem, etc.: Militanti ecclesie, etc. Sane dilectorum filiorum . . . abbatis et conventus Monasterii de Kilwynnine ordinis Sancti Benedicti Glasguensis diocesis conquestione percepimus, quod nonnulli archiespicopi et episcopi, ac Clerici ecclesiasticeque persone, tam religiose quam seculares, necnon duces, comites, barones, nobiles, milites, et laici, communia quoque civitatum, universitates castrorum, villarum et aliorum locorum, et alie singulares

¹ Walter Stewart was third son of Walter, High Steward of Scotland, and was adjudged Earl of Menteth in 1258. He died about 1294. —Wood's *Douglas's Peerage*, vol. ii. p. 224.

² Andrew was Bishop of Argyle in 1304, and was alive in 1327.—Keith, p. 286. *Reg. de Passelet*, pp. 131, 137.

³ Vatican MSS., p. 252, No. 500.

persone civitatum et diocesum, et aliarum partium diversarum occuparunt et occupari fecerunt, villas, ecclesias, terras, domos, grangias, decimas, molen-
dina, piscarias, maneria, possessiones, iura et iurisdictiones, necnon fructus,
census, redditus, et proventus ac nonnulla alia bona mobilia et immobilia
spiritualia et temporalia ad monasterium ipsum spectantia, et ea detinent
indebite occupata seu eadem detinentibus praestant auxilium, consilium
vel favorem. Nonnulli etiam civitatum et diocesum partium predictarum,
qui nomen domini in vacuum recipere non formidant, eisdem Abbati et Con-
ventui super predictis villis, ecclesiis, terris, domibus, grangiis, decimis molen-
dinis, piscariis, maneriis, possessionibus, iuribus et iurisdictionibus, necnon
fructibus, censibus, redditibus et proventibus eorumdem, et quibuscumque
aliis bonis mobilibus et immobilibus spiritualibus et temporalibus et rebus
aliis ad dictum Monasterium spectantibus multiplices molestias ac iniurias
inferunt et iacturas. Quare prefati Abbas et Conventus nobis humiliter sup-
plicarunt, ut cum valde difficile reddatur eisdem pro singulis querelis ad apo-
stolicam sedem habere recursum providere eis super hoc paterna diligentia
curaremus. Nos igitur adversus occupatores, presumptores, molestatores, et
iniuriatores huiusmodi illo volentes eis remedio subvenire, per quod ipsorum
compescatur temeritas, et aliis aditus committendi similia precludatur, dis-
cretionem vestram per apostolica scripta mandamus, quatenus vos, vel duo aut
unus vestrum per vos, vel alium seu alios, etiam si sint extra loca in quibus
deputati estis conservatores et iudices, prefatis Abbati et Conventui efficacis
defensionis presidio assistentes, non permittatis eisdem super hiis, et quibus-
cumque aliis bonis et iuribus ad dictum Monasterium spectantibus ab eisdem
vel quibuscumque aliis indebite molestari, vel sibi gravamina seu dampna,
vel iniurias irrogari, facturi dictis Abbati et Conventui, cum ab eis aut pro-
curatore seu procuratoribus suis, vel eorum aliquo fueritis requisiti, de pre-
dictis et aliis personis quibuscumque super restitutione dictarum villarum,
ecclesiarum, terrarum, domorum, grangiarum, decimarum, molendinorum,
piscariarum, maneriorum, possessionum, iurium et iurisdictionum, necnon
fructuum, censuum, reddituum, et proventuum, et aliorum bonorum mobi-
lium et immobilium, spiritualium et temporalium et aliorum quorumcumque
bonorum, necnon et de quibuscumque molestiis, iniuriis atque dampnis, pre-
sentibus et futuris, in illis videlicet, que iudicalem requirunt indaginem,
summarie et de plano, sine strepitu et figura indicii, in aliis vero, prout
qualitas ipsorum exegerit, iusticie complementum, occupatores seu detentores,

molestatores, presumptores, et iniuriatores huiusmodi, necnon contradictores quoslibet et rebelles, cuiuscumque dignitatis, status, ordinis vel conditionis extiterint. quandocumque et quotienscumque expedire videritis, auctoritate nostra, per censuram ecclesiasticam, appellatione postposita, compescendo, Invocato ad hoc, si opus fuerit, auxilio brachii secularis, non obstantibus tam felicitis recordationis Bonifacii pape VIII., etc.; usque mentio specialis. Ceterum volumus et apostolica auctoritate decernimus, quod quelibet vestrum prosequi valeat articulum, etiam per alium inchoatum, quamvis idem inchoans nullo fuerit impedimento canonico prepeditus, quodque a data presentium sit vobis et unicuique vestrum in premissis omnibus et eorum singulis, ceptis et non ceptis, presentibus et futuris, perpetuata potestas et iurisdictio attributa, ut eo vigore eaque firmitate positis in premissis omnibus ceptis et non ceptis, presentibus et futuris, et pro predictis procedere ac si predicta omnia et singula coram vobis cepta fuissent, et iurisdictio vestra et cuiuslibet vestrum in predictis omnibus et singulis per citationem vel modum alium perpetuata legitimum extitisset, Constitutione predicta super Conservatoribus et alia qualibet in contrarium edita non obstante. Presentibus post quinquennium minime valituris. Datum Avinione iii. nonas Octobris, Pontificatus nostri anno decimo septimo.

ABSTRACT.

Letters by Pope John XXII., directed to the Abbots of Kelso and Culros, and the Archdeacon of Glasgow. Whereby, on the narrative that he understood by a complaint of the Abbot and Convent of Kilwinning, of the order of St. Benedict, of the diocese of Glasgow, that certain archbishops, bishops, kirkmen and ecclesiastical persons, as well the religious as secular, also dukes, earls, barons, nobles, knights, and laymen, commons, etc., had occupied and caused to occupy the towns, churches, lands, houses, granges, teinds, mills, fishings, manors, rights and jurisdictions, fruits, maills, etc., belonging to the monastery, and withheld them wrongfully, or gave aid and counsel to those withholding; and some of the said cities and dioceses not fearing to take the name of God in vain, perpetrated manifold wrongs, molestations, and insults, upon the said possessions of the said monastery; on which account the abbot and convent had made supplication to the Pope to provide remedy for these evils, because it was very difficult to

have recourse to the apostolic see for every complaint : Wherefore, to repress these disorders, the Pope committed to the aforesaid, and charged them by apostolic writ that they, or two or one of them, even if beyond the places in which they were deputed conservators and judges, should assist the abbot and convent in their defence and protection, and not permit the said convent to be molested in their goods, or wrongs and losses to be inflicted on them ; causing justice to be done to them when required by them or their procurators to that effect, anent the restitution of the said towns, kirks, lands, etc., and in all wrongs and molestations whatsoever ; and to compel and restrain the occupiers or detainers of their lands, their troublers and wrongdoers, gainsayers and rebellious persons, of whatever rank or condition, by the Papal authority and censures of the Church, invoking if need be the secular arm for that end, notwithstanding the bull of Pope Boniface VIII. And to take all steps necessary in the prosecution of their commission as if they had been taken before the Pope himself : This appointment not to be of force after five years.

15. *Monachis de Kilwynin ord. S. Benedicti Glasguensis dioecesis confirmatur donatio eis facta per regem Scotiae et episcopum Glasguensem de parochiali ecclesia de Dumbretan, insertis ipsorum privilegiis.*—*Reg. An. XVII. Com. Par. i. Ep. 1522.*—[1333.]¹

Johannes Episcopus, etc. ; Dilectis filiis . . . Abbati et Conventui Monasterii Sanctorum Marie et Wynnini de Kilwynin ordinis sancti Benedicti Glasguensis diocesis, salutem, etc. ; Quamvis ea, que auctoritate sedis apostolice pie ac provide ordinantur, robur in se obtineant firmitatis, nichilominus tamen ex habundanti sedes eadem illis apostolice confirmationis munimen adicit, ut validiora consistent. Sane dudum carissimo in Christo filio nostro David Scotie Rege illustri nobis intimante, quod clare memorie Robertus Rex Scotie, pater eius, gerens ad Monasterium vestrum et personas in eo degentes specialis devotionis affectum, ius patronatus et advocacy quod et quam habebat in parochiali ecclesia de Dumbretan Glasguensis diocesis, vobis pro sue ac predecessorum et successorum suorum animarum salute donaverat in perpetuum et concesserat ; et quod postmodum vene-

¹ Vatican MSS., p. 253, No. 502.

rabilis frater noster Episcopus Glasguensis antedictus, attendens hospitalitates, que fiebant in Monasterio memorato, ecclesiam eandem, dilectorum filiorum Capituli sui ecclesie Glasguensis accedente consensu, auctoritate ordinaria vobis concesserat in usus vestros proprios et donaverat, reservata de ipsius ecclesie proventibus, perpetuo vicario inibi servituro congrua portione, ex qua possit congrue sustentari, episcopalia iura solvere, et alia sibi incumbentia onera supportare, prout in ipsorum Roberti Regis et episcopi, ac capituli patentibus litteris inde confectis, eorumque sigillis munitis dicebatur plenius contineri. Nos ad supplicationem ipsius David Regis, dilectis filiis Bertrando Cariti archidiacono Vauriensis, et Raymundo de Quercu canonico Lingoniensis ecclesiarum, in Regno Scotie nostris et apostolice sedis nuntiis, litteris nostris dedisse meminimus in mandatis, ut si predicta ita esse reperirent, quod per dictos Robertum regem et episcopum ac capitulum super hiis factum esset, auctoritate apostolica confirmarent, iure tamen cuiuslibet alterius in omnibus semper salvo, ac huiusmodi sue confirmationis litteris litterarum Regis, episcopi et capituli earundem tenorem insererent predictarum, Contradictores auctoritate nostra, appellatione postposita, compescendo, prout in eisdem nostris litteris plenius continetur. Verum prefati nuntii formam ipsarum litterarum nostrarum diligentius observantes, quia inspectis et examinatis diligenter per ipsos tam nostris quam Regis episcopi et capituli predictorum litteris antedictis premissa invenerunt legitime ita esse, deliberatione super illis prehabita diligenti dictam ecclesiam de Dunbretan cum omnibus iuribus et pertinentiis suis, vobis et Monasterio vestro predicto in usus proprios in perpetuum confirmarunt, salvo iure cuiuslibet alieno, prout in publico quodam instrumento inde confecto eorumdem nuntiorum sigillis munito, cuius tenore de verbo ad verbum presentibus inseri fecimus, plenius continetur. Quare nobis humiliter supplicastis, ut cum verisimiliter dubitetur, quod processu temporis predicta eorumdem nuntiorum sigilla fiant incognita, et quod interim vel post dicta eorum sigilla consumi poterant, vel aliquo fortuito casu corrumpi que per eosdem nuntios facta sunt super hiis, ut prefertur confirmare ex certa scientia dignaremur. Nos igitur vestris supplicationibus inclinati, premissa omnia super hiis per eosdem nuntios, ut premittitur, facta rata et grata habentes, illa auctoritate apostolica ex certa scientia confirmamus, et presentis scripti patrocinio communimus. Tenor autem dicti instrumenti eorumdem nuntiorum talis est :—

Universis sancte Matris ecclesie filiis, ad quos presentes littere pervenirent

Bertrandus Cariti archidiaconus Vauriensis et Raymundus de Quercu canonicus Lingoniensis ecclesiarum, in Regno Scotie sedis apostolice nuntii delegati, salutem in domino sempiternam. Noveritis mandatum sanctissimi in Christo patris et domini nostri, domini Johannis divina providentia pape XXII. non vitiatum, non cancellatum, nec in aliqua sua parte corruptum, nos recepisse cum ea qua decuit reverentia in hec verba. Johannes Episcopus, etc. Dilectis filiis Bertrando Cariti Archidiacono Vauriensis et Raymundo de Quercu Canonico Lingoniensis ecclesiarum, in Regno Scotie nostri et apostolice sedis nunciis, Salutem, etc. Significavit nobis carissimus, etc., ut supra Nr. cccclxxxvii. pag. 247. Dat. Avinione iiii. nonas Novembris, pontificatus nostri anno quartodecimo.

Cum igitur . . . Abbas dicti Monasterii de Kylwynin nomine suo, et monasterii sui predicti coram nobis in ecclesia cathedrali Glasguensis viii. kalend. Maii anno gratie m.ccc.xxx, in presentia venerabilium virorum dominorum Walteri de Roule precentoris, Roberti Thesaurarii, et Johannis Wylebardi, Johannis de Passelet et Roberti de Sancto Andrea dicte ecclesie Glasguensis canonicorum litteras patentes serenissimi principis clare memorie domini Roberti dudum Regis Scotie super advocatione et iure patronatus ecclesie de Dumbretan Glasguensis diocesis, et etiam litteras patentes domini Johannis Dei gratia episcopi Glasguensis super advocatione sive concessione predictae ecclesie sibi et monasterio suo predicto in usus proprios, necnon et litteras Capituli ecclesie Glasguensis super consensu collationis seu concessionis memorate, sigillis dictorum dominorum Regis, episcopi et capituli sigillatas, ut prima facie apparebat, exhibuerit, ac ad informationem premissorum eas nobis presentaverit inspiciendas, legendas et examinandas, ut quarum litterarum tenores inseruntur per ordinem sub hiis verbis, Tenor littere Regis talis est. Robertus Dei gratia Rex Scotorum omnibus probis hominibus totius terre sue, tam clericis, quam laicis salutem; Sciatis nos pro salute amine nostre, et pro salute animarum antecessorum et successorum nostrorum regum Scotie dedisse concessisse et hac presenti carta nostra confirmasse deo et beate Marie Virgini et beato Wynnino ac Monasterio de Kylwynin in Cunyngham, abbati et monachis ibidem deo servientibus, et in perpetuum servituris ius patronatus et advocationem ecclesie ville nostre de Dunbretan, tenendum et habendum dicto Monasterio et Monachis predictis in perpetuum, cum omnibus iustis pertinentiis suis in liberam, puram, et perpetuam elemosinam, adeo libere, pure,

quiete et honorifice, sicut aliqua elemosina in Regno Scotie alicui monasterio seu pio loco per antecessores nostros Reges Scotie, seu per nos data et concessa liberius purius, quietius seu honorificentius tenetur aut possidetur, salvo iure Rectoris dicte ecclesie, qui nunc est, donec cedat vel decedat. In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi, testibus venerabilibus patribus Willelmo, Wyllermo et Iohanne Sancti Andree, Dunkeldensis et Breychinensis ecclesiarum dei gratia episcopis Bernardo Abbate de Abirbrothoc Cancellario nostro, Waltero Senescallo Scotie, Iacobo domino de Duglas, Iohanne de Menetech, et Roberto Boyde militibus. Apud Abirbrothoc quarto die Maii, Anno Regni nostri quinto decimo. Tenor littere domini Episcopi talis est. Universis Christifidelibus, ad quorum notitiam presens scriptum pervenerit, IOHANNES miseratione divina ecclesie Glasguensis minister humilis, salutem in domino sempiternam. Noverit universitas vestra, quod cum magnificus Princeps dominus Robertus dei gratia Rex Scotorum illustris advocacionem, sive ius patronatus ecclesie sancte Marie de Dunbretan nostre diocesis Religiosis viris . . . Abbati, et Conventui Monasterii de Kylwynin in Conynghame eiusdem diocesis, et eorum Monasterio pie ac devote pro salute anime sue, et pro salute animarum antecessorum et successorum suorum Regum Scotie perpetuo contulisset, et nos tam viva voce quam per litteras suas patentes cum instantia sepius requisisset, quod dictam ecclesiam dictis Religiosis in suos proprios usus generose conferre dignaremur : Nos tam devotionem dicti domini Regis, quam hospitalitates quas dicti Religiosi indesinenter perficiunt, concorditer attendentes, utilitate et honore Ecclesie nostre pensatis, ipsam ecclesiam de Dunbretan cum terris, decimis, obventionibus et omnibus aliis iustis pertinentiis suis, predictis Religiosis et eorum successoribus, ac Monasterio suo de Kylwynin predicto divine caritatis intuitu, interveniente Consensu capituli nostri, pro nobis et successoribus nostris in suos proprios usus damus, concedimus, et Episcopali auctoritate presenti scripto imperpetuum confirmamus, salvo iure veri Rectoris eiusdem ecclesie, donec cedat vel decedat, seu alio modo de iure fuerit amovendus, reservata tamen nobis et successoribus nostris collatione Vicarie eiusdem ecclesie cum ipsam vacare contingeret. Quiquidem Vicarius per nos instituendus tenebit se contentum de portione competenti ordinanda per nos et religiosos predictos, et respondebit de omnibus et singulis oneribus ordinariis et extraordinariis pro rata portionis sue. In cuius rei testimonium presenti

scripto sigillum nostrum autenticum est appensum. Datum et actum apud Abirbrothoc vicesimoseptimo die Novembris, anno gratie M.CCC.XXV. —Tenor littere Capituli. Omnibus sancte Matris Ecclesie filiis presens scriptum visuris vel audituris Decanus et Capitulum Glasguenses, salutem in domino, Noveritis nos inspexisse et veraciter intellexisse cartam venerabilis patris nostri Iohannis dei gratia Glasguensis Episcopi in hec verba. Universis Christifidelibus etc. ut in proxima superiori per totum. Quam quidem donationem et concessionem secundum tenorem superius annotatum de communi consilio nostro et assensu, diligenti tractatu premissis, pro nobis et successoribus nostris imperpetuum ratificamus, approbamus et confirmamus, et ut ista nostra confirmatio plenam obtineat firmitatem, presenti scripto commune sigillum Capituli nostri fecimus apponi. Datum in Capitulo nostro apud Glasguam tertiodecimo die mensis Octobris, anno gratie M.CCC.XXVI.

Quibus litteris apostolicis nobis exhibitis et presentatis, dictus dominus Abbas nos cum instantia requisivit, ut ad confirmationem predictarum procedere deberemus iuxta traditam per ipsas litteras apostolicas nobis formam. Nos igitur volentes mandatum apostolicum nobis in hac parte directum ut filii obedientie exequi, ut tenemur, supradictis litteris tam apostolicis, quam aliis inspectis et examinatis, et super negotio memorato deliberatione prehabita diligenti, auctoritate apostolica in hac parte commissa, dictam ecclesiam de Dunbretan cum omnibus iuribus suis et pertinentiis universis, dictis Religiosis et eorum Monasterio predicto in usus proprios in perpetuum confirmamus, salvo iure cuiuslibet alieno. In quorum omnium testimonium premissorum presentem confirmationem scribi fecimus per Geraldum Marquesii Notarium infrascriptum et sigillorum nostrorum appensione muniri. Datum et actum apud Glasguam in domo domini Walteri de Tuwynam Rectoris ecclesie Glasguensis, prima die mensis Maii, anno domini M. CCC.XXX. presentibus dominis Iohanne de Passelet Canonico Glasguensi, Malcolm de Kandi Vicario ecclesie Glasguensis, Guillelmo de Corri Rectore de Kenen, et fratre Iohanne Dalgarnet Monacho predicti Monasterii, testibus ad premissa vocatis et rogatis. Et ego Geraldus Marquesii clericus Vabrensis diocesis, publicus auctoritate apostolica notarius, de mandato dictorum dominorum Bertrandi Cariti et Raymundi de Quercu sedis apostolice nuntiorum predictam confirmationem, et omnia et singula in ea contenta manu mea propria scripsi, et in hanc formam publicam redegi, signoque meo solito signavi

requisitus. Signum mei Guillelmi Gaufredi hic est appensum in testimonium premissorum.

Nulli ergo etc. nostre confirmationis infringere etc. Datum Avinione Kal. Aprilis, Pontificatus nostri anno decimoseptimo.

ABSTRACT.

Letters of Pope John XXII. directed to the Abbot and Convent of the Monastery of St. Mary and St. Wynnin of Kilwinning; whereby, on the narrative that David, King of Scotland, had informed him that his father Robert, King of Scotland, had gifted to them his right of patronage of the Church of Dunbarton, and that the Bishop of Glasgow and Chapter thereof had granted and confirmed the same to them for their proper use; and that he had appointed his foresaid nuncios to confirm the same; and that the foresaid nuncios had found all the letters of gift duly and lawfully made, and had confirmed the same, as was more fully contained in a public instrument made thereupon and confirmed with their seals: Whereupon the abbot and convent had made a supplication to the Pope, bearing that it was not unlikely that in process of time the seals of the said nuncios might become unknown, or worn away, or defaced, and therefore asking the Pope to confirm what was done by his nuncios: And accordingly he confirmed with apostolic authority all that was done in the premises by his said nuncios.

The relative writs inserted in the deed are:—

1. Letters by Bertrand Cariti, archdeacon of Lavour, and Raymund de Quercu, canon of Langres, nuncios delegate of the Apostolic See in Scotland, wherein relating that having received the mandate of Pope John XXII., directed to them dated 2d November 1329 [p. 141, No. 11], the abbot of the said Monastery, in his own name and that of the Monastery foresaid, compared before them in the Cathedral Kirk of Glasgow on the 24th April 1330, in presence of Walter of Roule, precentor, Robert, treasurer, John Wylebard, and other canons of the Church of Glasgow, and exhibited to them the letters patent of Robert, late King of Scotland, on the advocation and right of patronage of the Church of Dunbarton, the letters patent of John, Bishop of Glasgow, on the same, and the letters of the Chapter of

Glasgow on their consent to the same ; and presented them to the nuncios to be seen, read, and examined by them. These deeds are inserted, and are

2. Charter by Robert, King of Scotland, for the weal of his soul and the souls of his predecessors and successors, Kings of Scotland, to God and St. Mary the Virgin, and St. Wynnin, and the Monastery of Kilwinning in Cunninghame, and the abbot and monks there serving God and to serve for evermore, of the right of patronage of the Church of his town of Dunbarton : to be held in free almsgift ; reserving the right of the rector of the church till he shall resign or die. Witnesses William, Bishop of St. Andrews, etc., at Aberbrothoc, 4th May [1320].

3. Letters by John, humble minister of the Church of Glasgow, bearing that whereas Robert, King of Scotland, had conveyed the right of patronage of the Church of St. Mary of Dunbarton to the abbot and convent of the Monastery of Kilwinning, in Cunninghame, and had both *viva voce* and by his letters patent requested the bishop generously to confer the said church on the said religious men for their proper uses, the bishop granted and confirmed the said Church of Dunbarton, with lands, teinds, obventions, and pertinents, to them and their successors, for their proper uses, reserving the right of the rector, etc., and to the bishop the collation of the vicar of the said church when it happened to become vacant ; which vicar should be bound to be content with a sufficient portion to be assigned by the bishop and religious men foresaid. Dated at Aberbrothoc, 27th November 1325.

4. Letter by the Dean and Chapter of Glasgow, ratifying and confirming, with common consent and assent, the foresaid gift and grant by John, Bishop of Glasgow. Given in the Chapter-house of Glasgow, 13th October 1326. Which apostolic letters being so exhibited and presented, the said Lord Abbot asked them to proceed to the confirmation of the same ; who accordingly confirmed, with apostolic authority committed to them in that part, the Church of Dunbarton to the said Monastery for their proper uses. In witness of all which the nuncios caused the public instrument to be written by Gerald Marquesii, notary, and confirmed with their seals. Done in the dwelling-house of Walter of Tuwynam, rector of the church of Glasgow, 1st May 1330, in presence of John of Paisley, Canon of Glasgow, etc.

The Pope's confirmation is dated at Avignon, 1st April 1333.

16. *Iisdem donatio per Episcopum Glasguensem facta de ecclesiis de Kylmernoc et de Beth dictae dioecesis confirmatur. Ibidem, ep. 1523.—[1333.]*¹

IOHANNES EPISCOPUS, etc. Dilectis filiis . . . Abbati et Conventui Monasterii sanctorum Marie et Wynnini de Kylwynin, etc. Salutem, etc. Quamvis ea que auctoritate apostolica, etc., ut supra usque consistent. Sane dudum Carissimo in Christo filio nostro David Rege Scotie illustri nobis intimante, quod bone memorie Robertus Episcopus Glasguensis, dum adhuc vitam duceret in humanis, attendens, quod Monasterium vestrum propter diversarum guerrarum discrimina et frequentes incursus malignantium, ac propter ecclesias destructas ipsius Monasterii, et possessiones eiusdem in earum redditibus attenuatas vos ad tantam devenieritis paupertatem ac inopiam, quod sufficientes redditus non habebatis, unde possetis commode sustentari, et quod ob hoc dictus Episcopus pio vobis compatiens affectu, de Kylmernoc et de Beth ecclesiarum perpetuas Vicarias Glasguensis diocesis, in quibus Vicariorum presentatio ad vos communiter pertinebat, dilectorum filiorum Capituli ecclesie sue Glasguensis ad hoc accedente consensu, vobis et dicto Monasterio vestro tam pro vestra quam pauperum illuc confluentium sustentatione, quam etiam ad manutenendam hospitalitatem, que consueverat ibi fieri, in usus proprios tradiderat imperpetuum et concesserat, prout in patentibus litteris inde confectis eiusdem Episcopi sigillis munitis dicebatur plenius contineri.

Nos ad supplicationem Regis eiusdem dilectis filiis Bertrando Cariti Archidiacono Vauriensis, et Raymundo de Quercu, Canonico Lingoniensis ecclesiarum, tunc in Regno Scotie nostris et Apostolice sedis nunciis, nostris dedimus litteris in mandatis, ut si predicta ita esse reperirent quod per dictum Episcopum super illis factum erat, auctoritate nostra confirmare curarent, iure tamen cuiuslibet alterius in omnibus semper salvo, tenorem dictarum litterarum ipsius Episcopi huiusmodi confirmationis eorum litteris inserendo, ac contradictores auctoritate nostra, appellatione postposita, compescendo, prout in dictis nostris litteris plenius continetur. Dicti namque nuntii formam ipsarum litterarum nostrarum diligentius observantes, quia inspectis et examinatis per eos tam nostris quam Episcopi litteris ante

¹ Vatican MSS., No. 503.

dictis, premissa invenerunt legitime ita esse, prout nobis per Regem erant exposita memoratum, deliberatione super dicto negotio prehabita diligenti, auctoritate apostolica eis in ea parte commissa predictas de Kylmernoc et de Beth ecclesiarum predictarum perpetuas vicarias cum omnibus iuribus et pertinentiis suis, vobis et Monasterie vestro predicto in usus proprios in perpetuum confirmarunt, salvo iure cuiuslibet alieno, prout hec in quodam instrumento inde confecto, eorundem nuntiorum nostrorum sigillis munito, cuius tenorem de verbo ad verbum presentibus inseri fecimus, plenius continetur. Quare nobis humiliter supplicastis, ut cum verisimiliter dubitaretur quod processu temporis predicta eorundem nuntiorum sigilla fiant incognita, et quod interim vel post dicta eorum sigilla consumi poterant, vel aliquo fortuito casu corrumpi, que per dictos nuncios super premissis facta sunt, ut prefertur, confirmare ex certa scientia dignaremur. Nos igitur huiusmodi supplicationibus, etc. ut in superiori. Tenor autem dicti instrumenti, etc. Iohannes Episcopus, etc.; ut supra Nr. cccc.l.xxxvii. [page 143]. Datum Avinione iiii. Nonas Novembris, Pontificatus nostri anno quartodecimo.

Post quarum litterarum apostolicarum receptionem, cum dictus dominus Abbas Monasterii de Kylwynin nomine suo, et Monasterii sui predicti in ecclesia Glasguensi viii. Kal. Maii, anno gratie m.ccc.tricesimo, in presentia venerabilium virorum dominorum Walteri de Roule precentoris, Roberti thesaurarii, Iohannis Wischard, Iohannis de Passelet, et Roberti de S. Andrea (canonicorum) dicte ecclesie Glasguensis ecclesiarum litteras patentes bene memorie domini Roberti dudum Episcopi Glasguensis super donatione, et concessione Vicarie de Kylmernoc, cum litteris Capituli ecclesie Glasguensis de consensu super huiusmodi donatione, necnon et quasdam alias litteras patentes eorundem Episcopi et Capituli super collatione, sive traditione Vicarie de Beth Glasguensis diocesis in proprios usus ipsius Monasterii factis, predictorum . . . Episcopi et Capituli sigillis sigillatas, ut prima facie apparebat, ad informationem premissorum nobis exhibuerit et presentaverit legendas, videndas et examinandas, quarum omnium exhibitarum premissarum super hoc litterarum tenores de verbo ad verbum successive secuntur. Tenor littere Episcopi super collatione Vicarie de Kylmernoc talis est.

ROBERTUS miseratione divina ecclesie Glasguensis minister humilis, dilectis in Christo filiis religiosis viris . . . Abbati et Conventui de Kylwynin nostre diocesis, salutem in domino. In nostra presentia vestra

petitio querulosa proposita continebat, quod propter diversa guerrarum discrimina et frequentes incursus malignantium sic ad summam inopiam devenistis, ut ecclesie vestre destructe et possessiones attenuate vobis alimenta tenuissima non sufficiant ministrare: unde per nos vobis petistis misericorditer subveniri, ut Vicariam de Kylmernoc vobis in proprios usus in perpetuum concedi possidendam. Nos igitur vestre compatiētes inopie, ut ex paterno tenemur affectu, ad instantiam Serenissimi principis et domini nostri domini Roberti dei gratia Regis Scotie Illustris, qui super hoc nobis humiliter supplicavit, dictam Vicariam de Kylmernoc vobis et Monasterio vestro in proprios usus imperpetuum possidendam per presentem concedimus et donamus: ita tamen, quod domino Ade Balty nuper eiusdem Vicario, qui ob cecitatem oculorum factus inhabilis, dictam Vicariam resignavit, pro tempore vite sue faciatis decenter secundum statum suum in necessariis provideri, ac etiam omnia ordinaria et extraordinaria, in quibus prius tenebatur ecclesia de Kylmernoc, imposterum teneamini nichilominus exhibere. In cuius rei testimonium ad perpetuam nostre concessionis et donationis firmitatem presentes litteras sigilli nostri munimine fecimus roborari. Datum Londonii vicesimo quarto die Martii, anno gratie M.CCC.XII. Tenor littere consensu Capituli.

Omnibus sancte matris ecclesie filiis presens scriptum visuris vel audituris, Vicegerens Venerabilis viri domini Raymundi de Monteboerii, Decani Glasguensis, in Curia Romana tunc degentis, et eiusdem loci Capitulum, salutem in domino. Noveritis nos inspexisse ac veracter intellexisse cartam Venerabilis patris domini Roberti dei gratia Glasguensis Episcopi, factam Monasterio de Kylwynin et Monachis ibidem deo servientibus super donatione Vicarie de Kylmernoc cum pertinentiis suis eisdem Monasterio et Monachis in suos proprios usus concessa in perpetuum in hec verba. Robertus miseratione divina ecclesie Glasguensis humilis minister, etc. In nostra presentia, etc. fecimus roborari. Datum Londonii vicesimo quarto Martii, anno gratie M.CCC.XII. Quam quidem donationem et concessionem secundum tenorem superius annotatum de communi consilio nostro et consensu, diligenti tractatu premissis pro nobis et successoribus nostris in perpetuum ratificamus, approbamus et confirmamus. Et ut ista nostra confirmatio plenam obtineat firmitatem presenti scripto commune sigillum Capituli nostri fecimus apponi. Datum in Capitulo nostro apud Glasguam, duodecimo Kal. Junii anno domini M.CCC.XIII.

Item sequitur tenor littere Episcopi Glasguensis super donatione Vicarie de Beth. ROBERTUS permissione divina Glasguensis ecclesie minister humilis universis sancte matris ecclesie filiis presens scriptum visuris vel audituris, salut. in domino. Noveritis nos divine caritatis intuitu, ac utilitate ecclesie diligenter inspecta, diligenti tractatu premissso, de consensu Capituli nostri Glasguensis dedisse, concessisse, et hac presenti carta nostra confirmasse Monasterio Sancte Marie et Sancti Wynnini de Kylwynin in Cunigham, et Abbati et Monachis ibidem deo servientibus et perpetuo servituris vicariam de Beth in suos proprios usus cum omnibus comoditatibus, aisiamentis et libertatibus ad dictam Vicariam pertinentibus, ad sustentationem pauperum et ad hospitalitatem dicte domus sustentandam, tenendam et habendam dicto Monasterio et dictis Monachis imperpetuum ita quiete, libere, plene, et honorifice, sicut aliqua ecclesia seu Vicaria infra nostram diocesim in proprios usus alicui Monasterio concessa tenetur, seu possidetur, salvo iure Episcopi et Archidiaconi in omnibus. In cuius rei testimonium presenti scripto sigillum nostrum est appensum. Datum apud Glasguam anno domini M.CC. octuagesimosexto, die Martis proxima post translationem Sancti Thome martiris, presentibus domino Waltero Rectore ecclesie de Kirkmichel, domino David Capellano, domino Willelmo de Swineford, Magistro Henrico de Cubiehath, et multis aliis.—Tenor littere confirmationis Capituli super Vicaria de Beth.

Omnibus sancte Matris Ecclesie filiis presens scriptum visuris vel audituris, Thomas Wischard Decanus ecclesie Glasguensis et eiusdem loci Capitulum salutem in domino. Noveritis nos inspexisse ac veraciter intellixisse cartam Venerabilis patris nostri Roberti dei gratia Glasguensis Episcopi factam Monasterio de Kylwynin et Monachis ibidem deo servientibus super donatione Vicarie de Beth cum pertinentiis, eisdem Monasterio et Monachis in suos proprios usus concessa imperpetuum in hec verba. Robertus permissione divina Glasguensis ecclesie minister humilis etc. ut supra. Quam quidem donationem et concessionem, secundum tenorem superius annotatum, de communi consilio nostro et assensu, diligenti tractatu premissso, pro nobis et successoribus nostris imperpetuum ratificamus, et approbamus et confirmamus: et ut ista nostra confirmatio plenam obtineat firmitatem presenti scripto commune sigillum Capituli nostri fecimus apponi. (Deest data.)

Quibus litteris apostolicis et aliis predictorum Episcopi et Capituli nobis

exhibitis, et presentatis dictus dominus Abbas nos cum instantia requisivit, ut ad confirmationem predictarum Vicariarum procedere deberemus, iuxta traditam per litteras apostolicas nobis formam. Nos igitur volentes mandatum apostolicum nobis in hac parte directum ut filii obedientie reverenter exequi, ut tenemur, supradictis omnibus litteris tam apostolicis, quam aliis diligenter inspectis et examinatis et super negotio memorato deliberatione prehabita diligenti, auctoritate apostolica nobis in hac parte commissa, dictas de Kylmernoc et de Beth perpetuas Vicarias cum omnibus iuribus suis et pertinentiis universis dictis Religiosis, et eorum Monasterio predicto in usus proprios in perpetuum confirmamus, salvo iure cuiuslibet alieno. In quorum omnium premissorum (testimonium) presentem confirmationem scribi fecimus per Geraldum Marquesii notarium infrascriptum, et sigillorum nostrorum appensione muniri. Datum et actum apud Glasguam in domo domini Walteri de Tuwynam Rectoris ecclesie Glasguensis, prima die mensis Maii, anno domini m.ccc.xxx. Pontificatus domini nostri Iohannis divina providentia, Pape XXII., anno quartodecimo. Presentibus dominis Iohanne, etc. ut supra.

Nulli ergo etc. nostre confirmationis infringere, vel ei etc. Datum Avinione Kalendas Aprilis, Pont. nostri anno decimoseptimo.

ABSTRACT.

Letters of Confirmation by Pope John XXII., directed to the Abbot and convent of the Monastery of St. Mary and St. Wynnin of Kilwinning, in ratifying the gift made to them of the Churches of Kilmarnock and Beith, proceeding on the narrative that David, King of Scotland, had informed him that Robert, Bishop of Glasgow, to relieve the poverty of the Monastery, had granted to them, with consent of his chapter, the perpetual vicarages of the Churches of Kilmarnock and of Beith, in the diocese of Glasgow, of which they had formerly the presentation of the vicars; and the Pope, willing to grant the request of King David to confirm the same, had empowered Bertrand Cariti, archdeacon of the Church of Lavaur, and Raymund de Quercu, canon of the Church of Langres, his nuncios in Scotland, to confirm what the bishop had done in the premises; and the nuncios finding on examination the writs authentic, and everything in order, confirmed the same, as contained more fully in the instrument engrossed; and the abbot and convent asked the apostolic confirmation, lest in process of time the seals of the

nuncios should become unknown. Which request the Pope was willing to grant, and therefore confirmed the said gift with apostolic authority. The Instrument of Confirmation narrates that after reading the foregoing apostolic letter, the Abbot of the Monastery of Kilwinning, in his own name and that of the Monastery, in the Church of Glasgow, on the 24th day of April 1330, in presence of Walter of Roule, precentor of the Church of Glasgow, and other canons, presented and exhibited to the nuncios aforesaid, for their examination, the following letters-patent, which are engrossed at length :—

1. Letters Patent by Robert, Bishop of Glasgow, granting to the Abbot and Convent of Kilwinning, in order to alleviate their distress occasioned by the wars, etc., and at the request of Robert, King of Scotland, the vicarage of Kilmarnock, for their proper uses, reserving a decent sustenance for Sir Adam Balty, late vicar, who had resigned owing to blindness. Given at London 24th March 1312.

2. Letters of Confirmation by the vicegerent of Sir Raymund de Monteboerii, dean of Glasgow, then at the Court of Rome, and the Chapter of Glasgow, ratifying the preceding gift and grant. Given in the Chapter-house of Glasgow 21st May 1313.

3. Letters Patent by Robert, Bishop of Glasgow, with consent of the Chapter, granting to the Monastery of Kilwinning in Cunninghame, and the abbot and monks there, the vicarage of Beith, for their proper uses, to uphold the poor, and maintain hospitality, reserving the episcopal and archdiaconal rights. Given at Glasgow the Tuesday after the Translation of Thomas the Martyr [7 July] 1286.

4. Letters of Confirmation by Thomas Wischard, dean of the Church of Glasgow, and Chapter thereof, confirming the above gift of the vicarage of Beith (date wanting).

And the nuncios having seen and examined these letters, at the request of the abbot confirmed with apostolic authority, according to the power given to them by the apostolic letters, the perpetual vicarages of Kilmarnock and Beith to the Monastery of Kilwinning. The nuncios' confirmation is written by Gerald Marquesii, notary, and confirmed with the nuncios' seals, and is dated at Glasgow, in the house of Sir Walter of Tuwynan, rector of the Church of Glasgow, 1st May 1330, and the Pope's confirmation is dated Avignon 1st April [1333].

17. *Eidem Abbati donatio per comitem de Menetheht de iure patronatus parochialis ecclesiae de Kilmachormant Ergadiensis dioecesis facta confirmatur, inserto eiusdem comitis donationis instrumento. Ibidem Epist. 1524.—[1333.]*¹

IOHANNES EPISCOPUS, etc. Dilectis filiis . . . Abbati et Conventui Monasterii de Kylwynin etc. salutem etc. Quamvis ea etc. ut supra. Sane dudum Carissimo in Christo filio nostro David Rege Scotie Illustri, nobis intimante, quod quondam Walterus Comes de Menetheht, dum vitam ageret in humanis, pro sue et uxoris et antecessorum et successorum suorum animarum salute, ius patronatus, quod idem Comes tunc habebat in parochiali ecclesia de Kilmachormant in Cnapedale, cum Capellis Sancte Marie in Cnapedale et sancti Michaelis in Inwerlaxo cum tribus denariatis terre in Riventos eidem ecclesie annexis, Ergadiensis diocesis vobis concesserat in perpetuum et donaverat: et quod postmodum venerabilis frater noster Andreas Episcopus Ergadiensis, paupertati et tenuitate reddituum mense communis dicti vestri Monasterii qui ad sustentationem personarum degentium in eodem, et ad hospitalitatem solitam exercendam, et alia eidem incumbentia onera supportanda non sufficere noscebatur, pie compatiens, eandem ecclesiam cum annexis ac omnibus iuribus et pertinentiis eorumdem, dilectorum filiorum Capituli sue ecclesie Ergadiensis super hoc interveniente consensu, vobis et Monasterio vestro in usus proprios ad sustentationem vestram tradiderat imperpetuum et concesserat, reservata perpetuo Vicario inibi servituro de proventibus eiusdem ecclesie congrua portione ex qua possit congrue sustentari, Episcopalia iura solvere et alia sibi incumbentia onera supportare, prout in patentibus litteris inde confectis dictorum Comitis, Episcopi et Capituli sigillis munitis dicebatur plenius contineri. Nos ad ipsius David Regis supplicationem dilectis filiis Bertrando Cariti Archidiacono Vauriensis et R. de Quercu Canonico Lingonensis ecclesiarum, tunc in Regno Scotie nostris et Apostolice sedis nuntiis, nostris dedimus litteris in mandatis ut si predicta ita esse reperirent, quod per eosdem Comitem et Episcopum ac Capitulum super illis factum erat, auctoritate nostra confirmare curarent, iure tamen cuiuslibet alterius in omnibus semper salvo, Tenorem dictarum

¹ Vatican MSS., No. 504.

litterarum Comitum, Episcopi ac Capituli huiusmodi confirmationis eorum litteris inserendo, ac Contradictores auctoritate nostra, appellatione postposita, compescendo. Dicti namque nuntii formam ipsarum litterarum nostrarum exacta diligentia observantes quia inspectis et examinatis per eos tam nostris, quam Comitum, Episcopi ac Capituli eorundem litteris antedictis, premissa invenerunt legitime ita esse, prout nobis fuerant per Regem exposita memoratum, deliberatione super negotio predicto prehabita diligenti, auctoritate apostolica eis in hac parte commissa, dictam ecclesiam de Kilmachormant cum omnibus iuribus et pertinentiis suis vobis, ac vestro Monasterio supradicto in usus proprios imperpetuum confirmarunt, salvo iure cuiuslibet alieno, prout hoc in quodam instrumento publico inde confecto, eorundem nuntiorum nostrorum sigillis munito, cuius tenorem de verbo ad verbum presentibus inseri fecimus, plenius continetur. Quare nobis humiliter supplicastis, ut cum difficiliter dubitaretur, quod processu temporis predicta eorundem nuntiorum sigilla fierent incognita, et quod interim vel post dicta eorum sigilla consumi poterunt, vel aliquo fortuito casu corumpsi, que per eosdem nuntios facta sunt super hiis, ut prefertur, confirmare ex certa scientia dignaremur. Nos igitur huiusmodi vestris supplicationibus inclinati, premissa omnia per dictos nuntios super hiis, ut predicatur, facta rata et grata habentes, illa auctoritate apostolica ex certa scientia confirmamus et presentis scripti patrocinio communimus. Tenor autem dicti instrumenti eorundem nuntiorum talis est.

Universis sancte Matris Ecclesie filiis, ad quos presentes littere pervenerint, Bertrandus Cariti archidiaconus Vauriensis et Raymundus de Quercu Canonicus Lingonensis ecclesiarum, in Regno Scotie sedis apostolice nuntii delegati, salutem in domino. Noveritis mandatum sanctissimi in Christo patris et domini nostri domini Iohannis divina providentia pape XXII., non vitiatum etc. nos recepisse cum ea qua decuit reverentia in hec verba. Iohannes Episcopus etc. Dilectis filiis Bertrando Cariti et R. de Quercu etc.; Petitio Carissimi in Christo filii nostri David Regis Scotie etc. ut supra, Nr. DII. [pag. 150]. Datum Avinione IV. Nonas Novembris. P. n. anno XIV.

Cum igitur . . . Abbas etc., usque litteras patentes Nobilis viri domini Walteri dudum Comitum de Menetheht super advocacy et iure patronatus ecclesie de Knapedale, ac etiam litteras patentes venerabilis patris domini Andree Episcopi Ergadiensis consensum sui Capituli continentes super concessione predictae ecclesie de Knapedale Ergadiensis diocesis sibi, et Monas-

terio suo in usus proprios facte ad informationem premissorum nobis exhibuerit inspiciendas, videndas et examinandas: quarum litterarum tenores per ordinem subsecuntur. Tenor littere Comitatus talis est.

Sciant presentes et futuri, quod ego WALTERUS Senior Comes de Mentheth dedi, concessi, et hac presenti carta mea confirmavi deo, et Monasterio sancte Marie et sancti Wynnini de Kylwynin in Cumingham, et Monachis ibidem deo servientibus et perpetuo servituris ecclesiam de Kylmachornat in Knape-dale, cum capellis Sancte Marie in Cuapro et sancti Michaelis in Inwerlaxo, et cum tribus denariatis terre in Riventos eidem ecclesie de Kylmachornat annexis, et cum omnimodis aliis commoditatibus ad dictam ecclesiam cum capellis suis de iure pertinentibus, vel futuris temporibus quocumque modo pertinere valentibus in puram et perpetuam elemosinam divine caritatis intuitu et pro salute anime mee et domine Marie quondam sponse mee Comitisse de Menetheht, et animabus omnium antecessorum meorum et successorum. Ego vero Walterus et heredes mei ecclesiam predictam de Kylmachornat cum omnibus predictis pertinentiis suis et libertatibus, predictis Monasterio et Monachis contra omnes homines et feminas imperpetuum garantizabimus et defendemus In cuius rei testimonium presenti carte sigillum meum apposui, hiis testibus dominis Iohanne Senescallo, Iohanne de Soulis, Andrea Kras, Ingerramo de Henka Wille, Reginaldo de Crauford militibus, Alexandro de Menetheht et Iohanne filiis meis, Magistro Gilberto de Templeton, et multis aliis. (Deest data.)

Tenor littere concessionis Episcopi de consensu sui Capituli talis est. Frater ANDREAS permissione divina Ergadiensis ecclesie minister humilis, Reverendo et discreto viro domino Ade Dei gratia Abbati Monasterii de Kylwynin ordinis Turonensis, necnon et eiusdem Monasterii Conventui deo servientibus et in perpetuum servitutis, salutem et gratiam salvatoris. Complicantes vestre communis mense non modice paupertati, que non sufficit, prout asseritis, ad vestram sustentationem in divinis obsequiis, et ad respondendum de hospitalitate et aliis oneribus incumbentibus, sicut lex exigit caritatis, supplicatoriis vestris devotis precibus inclinati, habita deliberatione consilii de communi assensu nostri Capituli vobis dispensative duximus concedendum et concedimus per presentes, ut fructus et obventiones, qui ad Rectorem pertinere dignoscuntur in ecclesia sancti Trechani in Cnapodel cum capellis eiusdem nostre diocesis, possitis convertere in usus vestros ad sustentationem vestre communis mense, salva carta nostra Epis-

copali, salvaque portione Vicarii in ecclesia memorata. In cuius rei testimonium sigillum nostrum una cum sigillo dicti Capituli nostri est appensum. Datum apud nostram ecclesiam Cathedralem in octabis s. Martini Episcopi gloriosi, Anno domini m.ccc. vicesimoseptimo.

Quibus litteris apostolicis ac aliis predictorum dominorum Comitum, Episcopi et Capituli sigillorum eorum sigillatis, ut prima facie apparebat nobis exhibitis et presentatis, dictus dominus Abbas nos cum instantia requisivit ut ad confirmationem predictam procedere deberemus iuxta traditam per ipsas litteras apostolicas nobis formam. Nos igitur volentes mandatum apostolicum nobis in hac parte directum ut filii obedientie exequi, ut tenemur, supradictis omnibus literis inspectis et examinatis, et super negotio memorato deliberatione prehabita diligenti, auctoritate apostolica nobis in hac parte commissam dictam ecclesiam de Kylmachormant, cum omnibus iuribus suis et pertinentiis universis dictis religiosis, et eorum Monasterio predicto in usus proprios imperpetuum confirmamus, salvo iure cuiuslibet alieno. In quorum omnium testimonium premissorum presentem confirmationem scribi fecimus per Geraldum Marquesii notarium infrascriptum et sigillorum nostrorum appensione muniri. Datum et actum apud Glasguam in domo domini Walteri de Tuwynam Rectoris ecclesie eiusdem Glasguensis, prima die mensis Maii, Anno dñi m.ccc.xxx. Pontificatus domini nostri, dñi Iohannis divina providentia pape XXII., anno quartodecimo. Presentibus dominis Johanne de Passeleto Canonico Glasguensi, Malcolm de Canedi Vicario ecclesie Glasguensis, Guillelmo de Carry Rectore ecclesie de Kenen, et fratre Johanne Dalgarnot Monacho dicti Monasterii testibus ad premissa vocatis specialiter et rogatis. Constat michi de rasuris suprascriptis in decima octava et decimanona ac vicesima lineis. Datum ut supra. Et ego Geraldus Marquesii clericus Vabrensis diocesis, publicus auctoritate apostolica notarius, de mandato ipsorum dominorum Bertrandi Cariti et Raymundi de Quercu sedis apostolice nunciorum predictam confirmationem, et omnia et singula in ea contenta manu mea propria scripsi, et in hanc publicam formam redegei, signoque meo solito signavi requisitus: Et ego Guillelmus Gaufridi clericus Caturcensis diocesis, auctoritate apostolica notarius, qui de premissis omnibus notam recepi, huic instrumento me subscripsi et signum meum apposui ad maiorem roboris firmitatem.

Nulli ergo etc. nostre confirmationis infringere etc. Datum Avinione Kal. Aprilis, Pontificatus nostri anno decimoseptimo.

ABSTRACT.

Letters by Pope John XXII., whereby he confirmed and ratified all that was done by his nuncios in confirming to the Monastery of Kilwinning the patronage of the Church of S. Charmaig, etc., as contained in the nuncios' Instrument of Confirmation thereupon: the confirmation of the nuncios being granted on the information, and at the request, of David, King of Scotland, and by the Pope on the request of the abbot and convent. The letters contain—

1. Instrument of Confirmation by Bertrand Cariti, archdeacon of the Church of Lavaur, and Raymond de Quercu, canon of the Church of Langres, nuncios delegate of the Apostolic See in Scotland, whereby, in obedience to the command contained in the letters of Pope John XXII., dated at Avignon [2d November 1329], having seen, inspected, and examined the following letters, presented to them by the Abbot:—

2. Charter by Walter, Earl of Menteth, to God and the Monastery of St. Mary and St. Wynnin of Kilwinning in Cunninghame, and the monks there, of the Church of S. Charmaig in Knapdale, with the chapels of St. Mary in [Knapdale] and St. Michael in Inverlussa, with three penny lands in Riventos, annexed to the said Church of S. Charmaig, with all else belonging thereto, in pure almsgift, and this for the weal of his own soul, the soul of Lady Mary,¹ sometime his spouse, Countess of Menteth, and the souls of his predecessors and successors. Witnesses, Sir John Stewart, John of Soulis, Andrew Kras, Ingelram of Henka Wille, Reginald of Crauford, knights, etc. (Date wanting.)

3. Letters of Grant by Andrew, minister or bishop of the Church of Argyle, directed to Adam, Abbot of the Monastery of Kilwinning, of the Turonensian order, and Convent of the Monastery, whereby, in commiseration of the poverty of their common table, which, as they asserted, was not sufficient to maintain them in divine service and answer hospitality and other burdens, as the law of charity required, with common consent of his chapter he grants to them the fruits and obventions known to pertain to the rector of the Church of St. Trechan, in Knapdale, with the chapels thereof,

¹ The Lady Mary was the younger daughter of Mauritius, Earl of Menteth.—Wood's *Douglas' Peerage*, vol. ii. p. 224.

in the diocese of Argyle, to be converted to their proper uses, for the maintenance of their common table, under reservation of the bishop's rights, and portion of the vicar in the said church. Given at the Cathedral Church on the octaves of St. Martin the Bishop, 1327. And sealed with the seals of the bishop and of the chapter.

Which apostolic letters, and letters of the earl and bishop and chapter, being presented to the nuncios, and examined by them, the abbot requested them to proceed to confirmation; and they accordingly confirmed to the abbot and convent the foresaid Church of S. Charmaig, with all the rights belonging thereto. And in witness thereof they appended their seals to the present confirmation written by Gerald Marquesii, notary. Done at Glasgow in the house of Sir Walter of Twynam, rector of the Church of Glasgow. 1st May 1330.

The confirmation by the Pope is dated at Avignon 1st April [1333].

18. *Confirmacio cartarum Monasterii de Kilwynnyn.*—[Circa 1357.]¹

Dauid Dei gracia Rex Scotorum omnibus probis hominibus tocius terre sue clericis et laicis salutem. Sciatis nos inspexisse ac veraciter intellexisse, duas cartas, vnam videlicet Johannis de Meneteeth domini de Arane et de Knapdall et aliam Johannis de Maxwell domini eiusdem, non raras non abolitas non cancellatas nec in aliqua sui parte viciatas, Religiosis viris abbati et monachis de Kylvynnyne factas, carta vero Johannis de Menetethe, tenor sequitur et est talis: Omnibus sancte matris ecclesie filiis presentibus et futuris, presens scriptum visuris vel audituris. Johannes de Menethet dominus de Arane et de Knapdall salutem in Domino sempiternam. Sciatis me pro salute anime mee, et Katherine quondam sponse mee et pro salute animarum antecessorum et successorum nostrorum dedisse concessisse et hac presenti carta mea confirmasse Deo et beate Marie virgini et beato Wynnyno ac Monasterio de Kylvynnyne in Conynghame abbati et monachis ibidem Deo seruientibus et in perpetuum seruituris jus patronatus et aduocacionis ecclesiarum Sancte Marie et Sancte Brigide insule de Arane cum suis capellis et cum omnibus aliis commoditatibus ad dictas ecclesias cum capellis et

¹ *Registrum Magni Sigilli*, p. 33, lib. i. No. 86. Record edition, p. 33, No. 86.

Robertson's *Index*, p. 75, n. 86.

terris suis de jure pertinentibus vel futuris temporibus quoquomodo pertinere valentibus. Tenendum et habendum dicto monasterio et monachis predictis inperpetuum cum justis pertinentis suis in liberam puram et perpetuam elemosinam adeo libere pure quiete et honorifice sicut aliqua elemosina in Regno Scocie alicui monasterio seu pio loco dari poterit vel concedi saluo rectorum ecclesiarum dictarum jure qui nunc sunt donec cedant vel decedant In cuius Rei testimonium sigillum meum presenti carte mee aposui hiis Testibus domino Beano, rectore ecclesie Sancte Marie de Arane, Willelmo de Foulartoun, Cristino M'Nawych, Comedino medico, Hugone filio Johannis, Buano Were, Roberto Boyman, Thoma de Infirmitorio et multis aliis. Datum in monasterio predicto. xij^o die mensis Octobris Anno domini millesimo Trecentesimo quinquagesimo septimo. Tenor vero secunde carte, videlicet, Johannis de Maxwell sequitur in hunc modum: Sciant omnes tam presentes quam futuri quod Ego Johannes de Maxwell dominus eiusdem dedi concessi et hac presenti carta mea confirmaui diuine pietatis intuitu pro salute anime mee et Cristiane sponse mee Et pro salute anime patris mei et matris mee et animarum omnium antecessorum et successorum meorum Deo et monasterio Marie Sancte et Sancti Wynnyni de Kylvynnyne in Conyng-hame et monachis ibidem Deo seruientibus et inperpetuum seruituris In puram et perpetuam elemosinam Jus patronatus seu aduocationum ecclesie de Libirtoun cum vna acra terre mee iuxta terram ecclesie post concessam, quam acram Ego coram pluribus perambulauit et eisdem assignauit et omnimodo libertatibus commoditatibus et iustis pertinenciis ad predictam ecclesiam de jure pertinentibus vel futuris temporibus pertinere valentibus saluo jure domini Roberti de Glene rectoris eiusdem qui nunc est quousque cedat vel decedat seu aliquo alio modo de jure fuerit amotus. Tenendum et habendum prefatis monasterio et monachis inperpetuum Ita libere quiete plene et honorifice, sicut aliqua elemosina alicui monasterio infra regnum Scocie data vel concessa liberior quocius plenius et honorificius tenetur aut possidetur In cuius rei testimonium presenti carte mee sigillum meum apposui hiis Testibus domino Roberto senescallo Scocie Mauricio de Moraue,¹ Johanne Senescallo domino de Peristoun,²

¹ Maurice de Moravia had a grant of the Wardship of Walter Comyn of Rowallan from David II.—Paterson's *Hist. of Ayr*, vol. ii. p. 183.

² A descendant of the James Stewart of Peristoun, who was killed at the battle of Halidon Hill in 1333.—Robertson's *Ayr. Fam.*, vol. i. p. 11.

Johanne de Lyndesay domino de Cragyne,¹ Hugone domino de Eglyntoun² militibus, Godfrido domino de Ardrossuane³ Alano Cambell, Hugone del Blare⁴ et Johanne fratre suo et multis aliis. Quasquidem Cartas, etc.

ABSTRACT.

Confirmation by King David the Second of (1) Charter by John of Menteth, lord of Arran and Knapdale,⁵ whereby, for the weal of his own soul, and of the soul of Katherine his late spouse, etc., he granted to the monastery of Kilwinning in Cuninghame, and to the abbot and monks thereof, the right of patronage and advocacy of the Churches of St. Mary and St. Bride in the Island of Arran, in perpetual alms; dated at the said monastery 12th October 1357: (2) Charter by John of Maxwell of that ilk, whereby, for his own soul and that of his wife Christian, and for the souls of his father and mother, etc., he granted to the Abbot and Convent of Kilwinning the right of patronage or advocacy of the Church of Liberton, with one acre of land near the said church, which acre the granter⁶ perambulated before many witnesses; with all the liberties and just pertinents pertaining to the said church, saving the right of Sir Robert of Glene, present rector thereof, until he should resign or die.

19. *Monasterio de Kilwenyne ordinis s. Benedicti Glasguensis dioecesis confirmatur donatio iurispatronatus in quibusdam ecclesiis a nonnullis nobilibus ipsi facta.*—*Reg. Tom. xv. cod. chart. fol. 361.*—[1372.]⁷

GREGORIUS EPISCOPUS, etc. Dilectis filiis . . . Abbati et Conventui Monasterii de Kilwenyne ordinis sancti Benedicti Glasguensis diocesis,

¹ The heiress of Lindsay of Craigie married Wallace of Richardton about 1371, and the property passed into the possession of that family.—Crawfurd's *Renfrewshire* (1818), p. 86; Chalmers' *Caledonia*, iii. p. 512.

² He died in 1377.—*Memorials of the Montgomeries, Earls of Eglinton* (1859), p. 16.

³ Robertson's *Ayrshire Families* (1823), vol. i. p. 11; vol. iii. p. 376.

⁴ Said to have been the son of Roger de Blair, who had a charter from Robert I.—*Reg. Mag. Sig.* 10-50.

⁵ John de Menteth was the second son of the John de Menteth on whom was conferred in

1310 the Lordship of Knapdale.—M^cArthur's *Antiquities of Arran* (1873), p. 136. The lands of Knapdale were granted in 1353 to Archibald Campbell, Lord of Lochaw.—Hist. MSS. Commission, Fourth Report, p. 476. The original charter was granted during the reign of David II.—Robertson's *Index*, p. 49, No. 1.

⁶ It is not certain how John de Maxwell of Maxwell came to have a right to the patronage of Liberton, which was, according to Chalmers (*Caledonia*, iii. p. 751), in the possession of the Somerville family from the reign of David II. to 1603.

⁷ Vatican MSS., No. 698.

salutem etc. Devotionis vestre sinceritas, quam ad nos et Romanam geritis ecclesiam, vestreque religionis honestas, sub qua in humilitatis spiritu devotum deo exhibetis obsequium, promeretur, ut vos et Monasterium vestrum favore benivolo prosequentes, petitiones vestras, quantum cum deo possumus, ad exauditionis gratiam admittamus. Exhibita siquidem nobis nuper pro parte vestra petitio continebat quod olim dilecti filii nobiles viri Iohannes de Menteth dominus loci de Aran sancte Marie et sancte Brigide Insule de Aran, et Iohannes Maxwelle dominus loci de Maxwelle de Liberton ecclesiarum Sodorensis et Glasguensis diocesum, veri patroni existentes in pacifica possessione vel quasi iuris presentandi Rectores ad dictas ecclesias, ius patronatus ipsarum ecclesiarum ad ipsos divisim pertinentes, ad omnipotentis dei laudem et gloriam, et pro suarum et predecessorum et successorum suorum animarum remedio et salute, vobis in perpetuum dederunt et concesserunt, ac in vos penitus transtulerunt, prout in quibusdam patentibus litteris inde confectis, dictorum nobilium sigillis munitis, dicitur plenius contineri. Quare pro parte vestra fuit nobis humiliter supplicatum, ut premissis apostolice confirmationis robur adicere de benignitate apostolica dignaremur. Nos igitur huiusmodi supplicationibus inclinati, donationem et concessionem, ac translationem predictas ratas et gratas habentes, illas auctoritate apostolica de speciali gratia tenore presentium confirmamus et presentis scripti patrocinio communimus, supplentes omnem defectum, si quis forsitan intervenerit in eisdem, de apostolice plenitudine potestatis. Nulli ergo, etc., nostre confirmationis infringere etc. Datum Avinione VII. Kal. Decembris, Pontificatus nostri anno secundo.

ABSTRACT.

Letters of Pope Gregory XI. directed to the Abbot and Convent of the Monastery of Kilwinning, of the order of St. Benedict, in the diocese of Glasgow; whereby, in answer to a Petition addressed to him by them, bearing that the late noble men, John of Menteth, lord of the place of Arran, and John Maxwell, lord of the place of Maxwell, patrons respectively of the Churches of St. Mary and St. Bridget, of the isle of Arran, and of Liberton, in the dioceses of Sodor and Glasgow, and having the right of presenting rectors to the said churches, had for the glory of Almighty God, and the weal of their souls and the souls of their predecessors and successors, granted and transferred the right of patronage of the said churches to the

foresaid abbot and convent by their letters patent ; and asking confirmation of the same ; the Pope accordingly confirmed and ratified the gift, grant, and translation, with his apostolic authority. Given at Avignon, 25th November [1372].

20. *Confirmation by Robert II. of the grants formerly made to the Abbot and Convent of Kilwinning, of the lands of Kilwinning and Beith. Given at Arnele, 9th March 1390.—[See p. 175.]*

21. *Confirmation by Robert III. of the above Charter. The king also annexed the lands of Scryverlands and Liandcorse to the regality of Kilwinning. Dated at Dundonald, 26th Feb. 1393.—[See p. 176.]*

22. *Declaration by Adam, Abbot of Kilwinning and convent thereof, of their acceptance of Thomas, Prior of Whithorn and convent thereof, as Debtors in a pension of twelve Merks due by the Abbot and Convent of Dryburgh from the Church of Lauder [16th June 1426].¹*

Pateat vniuersis per presentes nos Adam permissione divina Abbatem Monasterij de Kylwenyne et eiusdem loci conuentum pro nobis et successoribus nostris recepissee venerabilem in Christo patrem ac dominum dominum Thomam eadem permissione divina ecclesie Cathedralis candide case priorem et eiusdem loci conuentum nec non et eorundem successores nobis veros atque perpetuos debitores pro quadam annuali pensione duodecim marcarum nobis debita annuatim per Abbatem et conuentum Monasterij de Driburgh de ecclesia de Lawader Sancti Andree diocesis de qua quidem annuali pensione predicta dicte ecclesie Lawader Abbatem et conuentum predictos de Dryburgh et eorum successores pro nobis et successoribus nostris quietos imperpetuum clamamus per presentes Ita quod nos dicti abbas et conuentus de Kylwenyne et successores nostri a predictis Abbate et conuentu Monasterij de Driburgh et eorum successoribus de predicta ecclesia de Lawader aliquod jus vel clameum nullatenus imperpetuum exigere poterimus vel requirere sed ab omni jure vel clameo p[re]dicte ecclesie de Laweder simus exclusi imperpetuum per presentes. In quorum

¹ Appendix to the *Register of Dryburgh*, p. 277.

omnium et singulorum fidem adhibendam et testimonium sigillum nostrum commune presentibus est appensum. Apud Monasterium nostrum de Kilwennyne decimo sexto die mensis Junij Anno Domini Millesimo cccc^{mo} vicesimo sexto.

ABSTRACT.

Declaration by Adam,¹ Abbot of the Monastery of Kilwinning, and the convent of the same place, that for themselves and successors, they have accepted Thomas, Prior of the cathedral church of Whithorn, and convent of the same, and their successors, as true and perpetual debtors for a certain annual pension of twelve merks due yearly by the Abbot and Convent of Dryburgh from the Church of Lauder of Saint Andrew's diocese, and exonerating the said abbot and convent thereof for ever. In testimony of which their common seal is attached to these presents at the Monastery of Kilwinning, the 16th of June, A.D. 1426.

23. *Carte Ade Abbatis de Kilwinning de patronatu de Libertoun.*

[24th July 1429.]²

Uniuersis et singulis presentes literas visuris vel audituris Adam permissione diuina Abbas Monasterii de Kylwynyne ordinis Sancti Benedicti Glasguensis diocesis ac ejusdem loci conuentus, salutem in omnium saluatore. Noueritis nos in honorem Dei et Sancti Kentegerni confessoris ac ad augmentationem Diuini cultus ecclesie Glasguensis in capitulo nostro super hoc diuersis vicibus congregato solemniter tractatu prehabito. dedisse concessisse et per has nostras presentes literas confirmasse Deo et Beato Kentegerno ac Decano et capitulo dicte ecclesie Glasguensis jus patronatus ecclesie parochialis de Libertoun dicte diocesis Glasguensis ac totum jus presentacionis ordinacionis seu cujuscumque alterius dispositionis quod nobis et dicto monasterio nostro de jure et consuetudine dinoscitur pertinere. Tenendum et habendum dictum jus patronatus dicte ecclesie de Libertoun prefatis Decano et capitulo ecclesie Glasguensis cum omnibus juribus suis et pertinentiis vt premittitur in perpetuum. In cujus rei testimonium sigillum nostri commune capituli presentibus est appensum apud Monasterium nostrum de Kilwynyne antedictum xxiv die mensis Julij anno Domini mccccxxix.

¹ Adam Spark became Abbot about 1408, and was alive in 1429.

² *Registrum Glasguense*, vol. ii. p. 321, No. 333.

ABSTRACT.

Charter by Adam, Abbot of Kilwinning, with consent of the chapter thereof, deliberating in solemn assembly, in favour of the dean and chapter of the Church of Glasgow, granting to them, in honour of St. Kentigern, and for increase of divine worship in the said church, the right of patronage and presentation of the parish church of Libertoun, in the diocese of Glasgow: Dated, and sealed with the common seal of the chapter, at Kilwinning Abbey, 24th July 1429.

24. *Grant by James III. of the power of holding Chamberlain Courts upon their own lands for the tenants and inhabitants thereof; and giving one free acre, extending from the burn of Corsehill to the end of the Bridge of Kilwinning, for this purpose. Given at Edinburgh 8th January 1472.—[See p. 176.]*

25. *Action between the Abbot and Convent of Kilwinning and Robert Montgomery and others.—[10th December 1482.]*¹

The actoune and Cause betuix the abbot² and convent of Kilwinnyng, one the ta parte aganis Robert Montgumry sone and ayre to umquhile Wilyaim Montgumry of Giffin³ knycht Johne of Montgumry his bruther Alex^r Montgumry Wilyaim Montgumry and James Ker for the wrangwise destructione and dovnecastin of the fosse and dikis of the loch callit Lochbrand⁴ pertenyng to the sadis abbot and convent as was allegit. and for thare costis skaithis and expensis sustenit therethrow. Is continewit be the lordis auditoris to the xj day of Januar next tocum with continuatione of dayis in the sammyn forme and effect as it now is. And ordanis that the witnes now takin be closit and kepit to the saide day and that lettres be gevin to the saidis abbot and convent to summond ma witnes geif thai ony haue and that the Remanent of the personis being absent be

¹ *Acta Dominorum Auditorum*, p. 104.

² William, second son of Sir Thomas Boyd of Kilmarnock, by Joanna, daughter of Sir John Montgomerie of Ardrossan.

³ For account of this family, see Dobie's *Pont*, p. 145.

⁴ This loch, now drained, was situated on the lands of Boghall, in the parish of Beith.—Dobie's *Pont*, p. 95.

summond to here the sade witnes sworn and the sadis abbot and convent and Robert Montgumry being personally present, ar summond apud acta.

26. *Carta Confirmacionis Abbatis et Conuentus Monasterii de Kilwynnyne.*
[6th July 1498.]¹

JACOBUS Dei gracia Rex Scotorum Omnibus probis hominibus tocius terre sue clericis et laicis salutem Sciatis nos quasdam cartas inferius insertas per nobilissimos predecessores nostros ac per quondam serenissimum patrem nostrum bone memorie quorum animabus propicietur Deus de libera regalia concessa monasterio nostro de Kilwynning et de itineribus camerarie super propriis terris dicti nostri monasterii ac tenentibus et inhabitantibus earundem de mandato nostro visas lectas inspectas et diligenter examinatas sanas integras non raras non cancellatas nec in aliquibus earum partibus suspectas ad plenum intellexisse sub hiis formis : Robertus Dei gracia Rex Scotorum Omnibus probis hominibus tocius terre sue clericis et laicis salutem Sciatis nos quandam cartam recolende memorie Domini Roberti Dei gracia Rex Scotorum illustris progenitoris nostri confectam Deo et beate Marie virgini et beato Wynnino ac abbati et conuentui monasterii de Kilwynning de mandato nostro visam lectam inspectam et diligenter examinatum sanam integram non rasam non cancellatam nec in aliqua sui parte viciatam inspexisse et veraciter intellexisse ad plenum de verbo ad verbum sub hac forma : Robertus Dei gracia Rex Scotorum Omnibus probis hominibus tocius terre sue clericis et laicis salutem Sciatis nos de consensu et assensu carissimi primogeniti nostri Johannis comitis de Carrik senescalli Scocie dedisse concessisse et hac presenti carta nostra confirmasse pro salute anime nostre et animarum omnium antecessorum et successorum nostrorum regum Scocie Deo et beate virgini Marie ac beato Wynnino ac abbati et conuentui monasterii de Kilwynning quod ipsi et eorum successores imperpetuum teneant et possideant omnes terras suas baroniarum suarum de Kilwynning et de Bethe cum pertinentiis cum omnibus et singulis libertatibus commoditatibus asiamentis cum molendinis multuris et eorum sequelis ac eciam cum omnibus aliis justis pertinentiis ad dictas baronias spectantibus seu juste spectare valentibus in futurum prout ipsas baronias cum pertinentiis hactenus iuste et pacifice tenuerunt in liberam regali Adeo libere et

¹ *Registrum Magni Sigilli*, lib. 13, No. 617.

quiete plenarie integre et honorifice sicut aliqua Regalia cuicunque monasterio Regni nostri per nos aut antecessores nostros reges Scocie liberius conceditur seu datur In cuius Rei testimonium presenti carte nostre nostrum precepimus apponi sigillum Testibus venerabilibus in Christo patribus Waltero et Johanne Sanctiandree et Dunkeldensis ecclesiarum episcopis cancellario nostro Johanne primogenito nostro de Carrik senescallo Scotie Roberto de Fiffe et de Menteth filio nostro dilecto Archibaldo Dowglas consanguineo nostro comitibus Jacobo de Douglas domino de Dalketh fratre nostro dilecto ac Thoma Erskin consanguineo nostro militibus apud Arnele nono die Marci anno Regni nostri vicesimo Quamquidem cartam donacionem et concessionem in eadem contentas in omnibus punctis suis et articulis condicionibus et modis ac circumstanciis suis quibuscunque forma pariter et effectum in omnibus et per omnia approbamus ratificamus et pro nobis heredibus nostris vt premissum est imperpetuum ad manum mortuam confirmamus saluo seruicio nostro Preterea in honore Dei omnipotentis et gloriose matris sue beate Marie semper virginis et omnium sanctorum pro salute anime nostre et animarum omnium antecessorum et successorum Regum Scocie aditimus annectimus et vnimus dictis baroniis de Kilwynnyne et de Bethe in eandem regaliā seu regalitatem prescriptam adeo libere quiete bene et in pace in omnibus et per omnia prout superius est expressum terras de Scryuerlandis cum pertinentiis datas et concessas dictis monasterio nostro abbati et conuentui et eorum successoribus imperpetuum per quondam Walterum Cumyne dominum de Rowallane et terras de Liandcorse cum pertinentiis ex dono Johannis de Maxwell de Polloc militis In cuius Rei testimonium presenti carte nostre sigillum nostrum precepimus apponi Testibus venerabilibus in Christo patribus Waltero et Matheo Sanctiandree et Glasguensis ecclesiarum episcopis Roberto comite de Fiffe et de Menteth fratre nostro carissimo Archibaldo Comite de Douglas et domino Galwidie Jacobo Douglas domino de Dalkethe Thoma de Erskin consanguineis nostris dilectis militibus Alexandro Cokburn de Langtoun custode magni sigilli nostri apud Dundonald vicesimo sexto mensis february Anno gracie millesimo tricentesimo nonagesimo tercio et Regni nostri anno tercio. Jacobus Dei¹ gracia Rex Scotorum omnibus probis hominibus tocius terre sue clericis et laicis salutem Sciatis nos in laudem et honorem Dei omnipotentis ac gloriosissime virginis Marie ac beati Wynnyni patroni monasterii

¹ This charter, with slight verbal differences, will be found in *Reg. Mag. Sig.*, lib. 7, No. 213.

nostri de Kilwynnyne et omnium sanctorum et pro salute anime nostre ac carissime consortis nostre Margarete Regine Scotie ac animarum antecessorum et successorum nostrorum et pro singulari affectione zelo et dilectione quos gerimus erga venerabilem in Christo patrem Willelmum abbatem modernum dicti monasterii et dilectos oratores nostros monachos et conuentum dicti monasterii dedisse concessisse et per presentes confirmasse prefatis venerabili in Cristo patri et religiosis viris oratoribus nostris abbati et conuentui dicti monasterii et eorum successoribus eiusdem monasterii abbatibus et conuentibus vt ipsi et successores sui habeant teneant et possideant perpetuis futuris temporibus Itinera camerarie infra se super terris suis propriis et super tenentibus et inhabitantibus terras suas predictas Tenenda et habenda dicta Itinera Camerarie prefatis abbati et conuentui et eorum successoribus de nobis et successoribus nostris pro perpetuo cum vniuersis et singulis commoditatibus libertatibus priuilegiis et rectis consuetudinibus ad itinera camerarie spectantibus seu iuste spectare valentibus in futurum Et adeo libere quiete plenarie integre honorifice bene et in pace in omnibus et per omnia sicut alii prelati et abbates regni nostri de Itineribus Camerarie per serenissimos nostros predecessores Scotorum reges temporibus retroactis liberius infeodantur cum potestate Itinera Camerarie tenendi per officarios suos ac delinquentes et defectuosos puniendi et corrigendi amerciamenta delinquentium ad vsus ipsorum abbatis et conuentus et successorum suorum leuandi Necnon inhabitantes terrarum suarum et eorum bona quociens ad Itinera Camerarie vbicunque arrestati attachiati vel calumpniati fuerunt ad dicta sua Itinera Camerarie replegiandi Insuper concessimus et tenore presentium concedimus pro nobis et successoribus nostris dictis abbati et conuentui et successoribus suis vnam acram terrarum suarum liberam priuilegiatam pro detencione dictorum Itinerum Camerarie pro perpetuo situatam videlicet a torrente de Corsehill ad finem pontis de Kilwynnyne extendentem absque reuocatione vel contradictione nostri vel successorum nostrorum quorumcunque Faciendo annuatim dicti abbas et conuentus et eorum successores pro animabus predictis oracionum suffragia deuotarum tantum In cuius rei testimonium presentibus pro perpetuo duraturis magnum sigillum nostrum apponi precepimus apud Edinburgh octauo die mensis Januarii Anno Domini millesimo quadringentesimo septuagesimo secundo et Regni nostri decimotercio Quasquidem cartas ac donaciones et concessiones in eisdem contentas in omnibus suis punctis et articulis condicionibus et modis

ac circumstanciis suis quibuscunque forma pariter et effectum In omnibus et per omnia pro speciali deuotione quam habemus erga beatissimam gloriosissimamque virginem Mariam matrem Christi et beatum confessorem sanctum Wynnynum patronum dicti nostri monasterii ac pro dilectione et fauore specialibus quos gerimus erga venerabilem in Christo patrem dominum Willelmum Bunche abbatem modernum dicti nostri monasterii approbamus ratificamus et pro nobis et successoribus nostris pro perpetuo vt premissum est confirmamus saluis nobis et successoribus nostris dicti abbatis et monachorum et suorum successorum oracionum suffragiis deuotarum ac seruiciis debitis et consuetis In cuius rei testimonium presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus Testibus vt in quarta carta precedente [Reuerendo in Christo patre Willelmo episcopo Aberdonensi nostri secreti sigilli custode dilectis consanguineis nostris Georgeo Comite de Huntlie domino Baidzenach cancellario nostro Patricio comite de Boithuile domino Halis Archibaldo comite de Ergile domino Campbele et Lorne magistro hospicii nostri Alexandro domino Hume magno camerario nostro Roberto Lundy de Balgony milite thesaurario nostro et dilectis clericis nostris Magistris Ricardo Murehede decano Glasguensi secretario nostro et Waltero Drummond decano Dunblanensi nostrorum rotulorum et registri ac concilii clerico] apud castrum nostrum de Kyntire sexto die mensis Julii anno Domini millesimo quadringentesimo nonagesimo octauo Et regni nostri vndecimo.

ABSTRACT.

Confirmation in 1498, by James the Fourth, King of Scots, under the Great Seal, of certain Royal grants formerly made to the Abbey of Kilwinning, viz. of — (1.) Charter by Robert the Third, King of Scots, confirming a charter granted by Robert the Second, King of Scots, with consent of his dearest first-born John, Earl of Carrick, Steward of Scotland, for the welfare of his Majesty's soul, and of the souls of all his ancestors and successors, Kings of Scotland, granting to God and the blessed Virgin Mary, and to St. Wynnin, and to the abbot and convent of the monastery of Kilwinning, that they and their successors should for ever hold and possess all the lands of his baronies of Kilwinning and Beith,¹

¹ Granted originally to the monastery by Richard de Morville, and Avicia de Lancaster, his wife.—Dobie's *Pont*, p. 254.

with the mills, multures, and sequels thereof, and all their just pertinents, as they had heretofore justly and peaceably held the same, in free regality, and as freely, quietly, fully, and honourably as any regality granted by the king or his predecessors to any monastery in the kingdom. Dated at Arnele¹ 9th March, 20th year of reign [1390]; the witnesses being Walter² Bishop of St. Andrews, John Bishop of Dunkeld,³ chancellor, John Earl of Carrick, Steward of Scotland, the king's first-born son, Robert Earl of Fife and Menteith, the king's son, Archibald Earl of Douglas, James of Douglas, lord of Dalkeith, the king's brother, and Sir Thomas Erskin.⁴ Robert III. in confirming this charter, added and annexed to the said baronies of Kilwinning and Beith, and united to the same regality the lands of Scryverlands,⁵ granted to the said monastery by the late Walter Cumyne, lord of Rowallane,⁶ and the lands of Liandcorse,⁷ granted by John Maxwell of Polloc, knight. The confirmation is dated at Dundonald 26th February 1393; the witnesses being Walter bishop of St. Andrews, Mathew bishop of Glasgow, Robert Earl of Fife and Menteth, the king's brother, Archibald Earl of Douglas, lord Galloway, James Douglas, lord of Dalkeith, Thomas of Erskine, knight, and Alexander Cockburn of Langtoun, Keeper of the Great Seal. The king also confirmed—(2.) A charter by James the Third, King of Scots, whereby, in honour of God Almighty, St. Mary, and St. Wynnin, patron of the Monastery of Kilwinning, and for the welfare of the soul of his Majesty's dearest consort Margaret, Queen of Scotland, and of the souls of his royal ancestors and successors, and for his singular affection, zeal, and regard which he had towards William,⁸ abbot of the said monastery, and the monks and convent thereof, he granted to them in all time coming the power of holding chamberlain courts upon their own lands for the tenants and inhabitants thereof; and also granting

¹ In the parish of West Kilbride, Cunningham.

² Walter Trail was Bishop of St. Andrews from 1385 to his death in 1401.

³ John Peebles became Bishop of Dunkeld in 1377, and continued so till his death in 1396.

⁴ See Crawford's *Renfrewshire* (1818), p. 108.

⁵ Also called Skirnalland.—*Hist. of the House of Rowallane* (Glasgow, 1825), p. 34.

⁶ His only daughter and heiress married Sir

Gilchrist Mure of Rowallan.—Robertson's *Ayrshire Families*, vol. iii. p. 355.

⁷ See *Eglinton Memorials*, vol. ii. p. 137. In the Kilmarnock charter-chest there is a charter by H. Montgomery of Hesselhead in January 1559, granting to Helen, daughter of Lord Boyd, the land of "Lyandcorse," in the regality of Kilwinning.

⁸ William Boyd, second son of Sir Thomas Boyd of Kilmarnock.—Dobie's *Pont*, p. 261.

one free privileged acre of their lands for holding the said courts, extending from the burn of Corsehill¹ to the end of the bridge of Kilwinnyn; rendering therefor the said abbot and convent the suffrages of their devout prayers for the souls aforesaid. Dated at Edinburgh 8th January 1472. The confirmation approved and ratified these charters for reasons similar to those for which they were granted, and for special regard to the present abbot, William Bunche;² saving to the king and his successors the prayers of the abbot and convent "due and wont." Dated at the Castle of Kyntire, 6th July 1498.

27. *Abstract of a Protocol of the Diocese of Glasgow.*³

Instrument⁴ narrating that while William, Abbot of Kylwinnyn, with his convent, were assembled⁵ in the septs of the abbey and in the hall or court-room thereof, with the doors and gates closed, on the 22d March after the palm branches, 1512, the place was surrounded by Cuthbert, Earl of Glencairn, completely armed, and accompanied by about sixteen men similarly armed, with swords by their side and all defensive armour, with a hold of each other's hands as they advanced rapidly, when the following colloquy between the abbot and the earl took place:—"Wherefore have you cleared our ditches, broken our fences, and entered hither?" "We have come hither to hold a conference with you." "I will hold no conference

¹ Said to be the site of the Cross, now at Crossbrae, prior to the Reformation.

² He was killed at the battle of Flodden in 1513.—Dobie's *Pont*, p. 261.

³ *Diocesan Registers of Glasgow*.—Grampian Club (1875). Original text, vol. ii. p. 477; translation, vol. i. p. 544.

⁴ This and several of the following instruments relate to an armed invasion of the precincts of the Abbey of Kilwinning by the Earls of Glencairn and Angus. These noblemen seem to have been acting on behalf of a Mr. John Forman, pretending a claim to the abbacy, and evidently desired to coerce Abbot William to resign, on promise of a pension, to be confirmed by the Roman See. The instrument is much

crossed and interlined, and bears witness to the disturbance which must have been going on during its preparation. The Earl of Angus here engaged was the celebrated Archibald Bell-the-Cat, and he must have been an aged man in 1512, for Gavin Douglas, Bishop of Dunkeld, his third son, was born in 1474. Glencairn was his son-in-law.—(Note by Editors of Grampian Club Edition.)

⁵ Among those present on the occasion were Robert Wright, William Brown, Leon Jack, presbyters; Thomas Peebles, Matthew Park, James Wright, laymen; Robert Cunningham of Auchenhavrie, Alexander Scot, Prior of Kilwinning, John Gaw, Walter Lister, Adam Spark, and William Duly.

with you at this time." Whereupon the earl seized the abbot (who resisted, and often called out, and earnestly entreated to be set at liberty) with force and violence by the arms, throwing off his sword and shield, and giving them to one of his followers; and while the armed men surrounded him, sometimes threatening, sometimes fawning upon him, to make him submit himself to the pleasure of Mr. John Forman,¹ the pretended Abbot of Kylwynning, and open the gates of the abbey to the king's herald and others of the same opinion standing without the gates, held him long in his embrace, until induced by the persuasion of Alexander Scott, Prior of Kylwynning, and of some of the armed men, he let him go, panting for breath, and calling out, "Suffer me to sit here, and cut off my head, because, while I live, I never shall agree to what you propose." Nevertheless, after he had sat and rested a while, and was desirous to rest longer, the earl seized him a second time, while he struggled and called out, and dragged him against his will to the gates of the place. When there, trusting, as he alleged, to his appeal, and besides being under the protection of the Roman pontiff, he refused to open the gates to the king's herald, and Archibald Earl of Angus, and others, who were standing without, although earnestly requested by the earl to do so: And further narrating the protest by the said abbot, when conducted between his monks to consult and deliberate upon the proposals made to him by the said earl, that himself and his abbacy and convent, and the appeals formerly made by him, should not suffer prejudice by what had taken place, etc. Done in the Abbey of Kylwynning, 22d March 1512.

*Kilwynnyng.*²

Instrument narrating that the said Earls of Angus and Glencairn, with their accomplices, armed as above mentioned, to the number of sixty or thereby, besides the above excepted persons breaking into and wandering through the gates and doors, court and choir of the abbey, their armour clanging, and meeting others of their own party in the gates, to the high altar, one Sir Gilbert Haldane, vicar of Dalry, who alleged he was procurator

¹ Brother of Robert Forman, precentor, and afterwards Dean of Glasgow.—*Regist. Glas.*, p. 504.

² *Diocesan Registers of Glasgow* (Grampian Club), vol. i. p. 546.

for Mr. George Forman, precentor of the church of Glasgow, presented to Mr. John Sawchy, notary, to be read and duly executed, certain apostolic bulls granted to the said Mr. John, respecting the abbacy of Kylwynnyng; and that the notary after reading the letters, by virtue thereof inducted Mr. John Forman, in the person of the said procurator, into possession of the said abbacy, which, as the gates were previously shut and access to the altar not allowed him, he did without the gates, etc. Done as above.

*Kylwynnyng.*¹

Instrument narrating that the Abbot of Kylwynnyng asked the king's herald,² who asserted that he had the king's letters and mandate to the abbot, Mr. John Forman, as abbot of the said place, and his procurators, to publish and read the said mandate and letters to him; and that the latter replied that he would read them in the chapter of Kylwynnyng if he (the abbot) would enter the same, not otherwise. Done as above.

Kylwynnyng.

Instrument narrating that Mr. William Barclay, procurator of William, Abbot of Kilwynning, presented himself³ at the entrance, commonly called "the clock dur," in the abbey, which led to the choir and chapter, that he might see and hear, and protest in the name of the abbot against what was being done there by the procurator of the said Mr. John Forman and the armed men above mentioned and monks, but that the Earl of Glencairn with his armed men, who were standing without the gate apparently to guard it, refused him entrance, saying, "Barclay, you shall not enter thither, because those within do not wish you to be there." Done as above.

*Kylwynnyng.*⁴

Instrument narrating that William, Abbot of Kylwynning, when freed from the hands of the armed men, revoked and annulled all that he had

¹ *Diocesan Registers of Glasgow* (Grampian Club), vol. i. p. 546.

² In the presence of (besides some of the other named witnesses) Eumonides Henrison, John White, and Simon Aysdell.

³ In the presence of John Hawick, Robert Edward, and Henry Kelso.

⁴ The disturbance lasted two hours. Abbot William having been much pulled about and exhausted by the rioters, appears to have betaken

done or attempted through fear, in consequence of their threats, to the prejudice of himself and his benefice of Kylwynnyng, and of his appeals formerly interponed, protesting that he should not be prejudiced thereby. Done as above.

The Abbot of Kylwynnyng.

Instrument narrating that Mr. William Barclay, procurator of William, Abbot of Kylwynnyng, in presence of witnesses,¹ publicly read and intimated at the doors of the church of Glasgow, during the time of high mass, an instrument of appeal, dated 1512, interponed by the said abbot from Alexander Bunch and John Bunch, procurators, revoked by him and Mr. John Forman, precentor of Glasgow, and offered a copy to those entitled to have it, and fixed itself on the doors of the church, and left it thereon. Done at the doors of the church foresaid, 7th April 1513.

The Abbot of Kylwynnyng.

Instrument on the appointment by William, Abbot of Kylwynnyng,² of Mr. William Steward, William Barclay, and others, apostolic writers, as his procurators for prosecuting the appeals interponed by him to the See of Rome against Sir Alexander Bunche, Mr. John Bunche, and Mr. John Forman, and in all other his causes moved and to be moved before whatever judges and in whatever courts; also on his appointment of some of them for resigning of new his abbacy into the hands of those having authority to that effect, in favour of James, Archbishop of Glasgow, and for renouncing to the latter all right, action, and the cause then depending respecting the abbacy, and surrogating the said archbishop in his right; and also to recall the procurators appointed by him before Sir John Symontoun, for resigning the abbacy first into the hands of the sovereign pontiff. Done as above.

himself, with his procurator and a few adherents, to a place called the Bogsyde, where he protested against the usage with which he had met, and recalled everything that he had said or done under coercion.—Note by the Editors of *Gramscian Club Edition*, vol. i. p. 547.

¹ John Stirling, notary public; Archibald Achinrosch, Walter Steyne, Robert Wright,

William Smith, presbyters; Thomas Hugh, notary public, Thomas Maling, and Malcolm Colquhoun.

² In the presence of Martin Rede, chancellor and official of Glasgow, Alexander Scot, prior of Kilwinning, Andrew Sibbold, canon of Glasgow, and John Rede.

28. *Litera Alexandri Abbatis de Kylwynnyng et eiusdem Conuentus.*[15th July 1532.]¹

Reuerendissimo in Christo patri et domino Domino Gauino miseratione diuina Archiepiscopo Glasguensi/ seu cuicunque alteri ad infrascripta potestatem habenti/ Vestre reuerendissime paternitatis humiles et deuoti filii Alexander permissione diuina Abbas Monasterii de Kylwynnyng et eiusdem conuentus ordinis Sancti Benedicti vestre Glasguensis diocesis Reuerentias cum honore tanto reuerendissimo patri debitas Reuerendissime pater vt ecclesiarum omnium per ciuitatem et diocesim vestras Glasguenses consistentium et ad illarum decorem ac personarum status inibi diuinum psallentium officium salubriter dirigi seruarique decentia possint honestius ad tenendum statum suum habeant redditus nostri libenter fauoris impertimur presidium/ potissime cum temporum requirit necessitas cause persuadent rationabiles et diuini cultus augmentum salubriter id exposcit Exhibita siquidem nobis nuper per venerabilem et egregium virum magistrum Jacobum Houstone dicte vestre ecclesie Glasguensis subdecanum petitio continebat/ quod ipse pie diuotionis zelo motus cupiens terrena in celestia commutare ac diuinum cultum in dicta vestra ciuitate augere de bonis a Deo sibi collatis et ex eius legitimo conquestu debite acquisitis/ vestre tamen reuerendissime paternitatis auctoritate consensu et beneplacito primitus interuenientibus/ vnum Collegium cum certo prebendariorum numero in ecclesia Marie semper Virginis et Anne matris eius Beatarum nouiter per eum a fundamentis constructa/ instituere fundare stabilire et erigere proponit et intendit. Et/ sicut eadem subiungebat petitio/ si vicaria perpetua parrochialis ecclesie de Dalry dicte vestre diocesis per venerabilem virum magistrum Christoform Boyd sibi canonice collata et per eum de presenti obtenta/ eius ad hoc expresso accedente consensu/ cuius presentatio et jus presentandi quotiens eam vacare contigerit ad nos et successores nostros abbates et conuentus dicti nostri Monasterii de Kylwynnyng/ collatio vero prouisio et illius institutio ad reuerendissimam paternitatem vestram vestrosque successores Glasguenses Archiepiscopos pleno jure spectare dinoscitur et spectat/ dicto Collegio erigendo et illius Prepositure

¹ *Liber Collegii nostre Domine Registrum Civitatis Glasguensis.*—Maitland Club (1846), p. Ecclesie B. V. Marie et S. Anne infra Muros 10; see also p. 107.

que inibi dignitas principalis existit/ vniretur annecteretur et incorporaretur Ac de fructibus eiusdem vicarie perpetue in Preposituram erigende crearetur vna vicaria pensionaria libera vni vicario pensionario perpetuis futuris temporibus in cura dicte ecclesie parrochialis de Dalry ministraturo ascendens ad summam decem librarum vsualis monete regni Scotie et sex acras terre ecclesiastice vicarie perpetue predictae legitime spectantes pro manso et orto dicto vicario pensionario edificando/ per hoc statui ipsius Collegii erigendi et sublimandi plurimum prouideretur cultusque diuinus exinde augmentaretur in eodem/ Quare per dictum magistrum Jacobum Houstoune subdecanum dicti Collegii primum et principalem fundatorem nobis fuit humiliter supplicatum vt consensum nostrum in premissis exhibere et prestare dignaremur Nos igitur petitionem huiusmodi ex premissis attendentes esse veram et rationi consonam/ diuinum cultum semper quantum in nobis est augere cupientes/ erectioni dicte vicarie perpetue de Dalry in Preposituram dicte ecclesie Marie et Anne Beatarum in Ecclesiam Collegiatam erigende/ et dicti Magistri Christofori Boyd vicarii moderni in Prepositum eiusdem ecclesie sublimationi/ ac eiusdem dimembrationi per reuerendissimam paternitatem vestram fiende/ et creationi noue vicarie pensionarie libere vt premittitur vni vicario pensionario perpetuis futuris temporibus in cura dicte ecclesie de Dalry ministraturo assignande/ et ex nostra et successorum nostrorum presentatione conferende Ac earundem vnioni annexationi et incorporationi vestra ordinaria auctoritate fiendis in omnibus et per omnia vt premissum est RESERVATIS tamen nobis et successoribus nostris abbatibus et conuentibus dicti nostri Monasterii imperpetuum presentatione et jure patronatus tam Prepositure erigende quam etiam vicarie pensionarie predictae creande totiens quotiens eas vacare contigerit Et non alias aliter nec alio modo/ vnanimi consensu et assensu capitulariter congregati harum serie consentimus Et nostros consensus et assensus ad premissa omnibus melioribus modo via forma jure et causa quibus melius et efficacius possumus et debemus/ exhibemus Eandem vestram reuerendissimam paternitatem humiliter exhortando rogantes quatenus de nostro expresso consensu predicto Preposituram et vicariam pensionariam predictas vestra ordinaria auctoritate erigere creare sublimare vnire incorporare et annectere in omnibus et per omnia vt premissum est Saluis tamen vobis et successoribus vestris imperpetuum visitatione jurisdictione correctione dominio potestate et preeminencia ac omnibus juribus

ordinariis et extraordinariis Archiepiscopalibus et archidiaconalibus de dicta vicaria perpetua de Dalry ante erectionem creationem sublimationem vnionem incorporationem et annexationem huiusmodi debitis et consuetis Ceteraque facere dicere gerere et exercere que ex vestro pastoralis officio incumbunt peragenda/ de gratia speciali dignemini/ . IN QUORUM omnium et singulorum fidem presentibus manibus nostris subscriptis sigillum commune dicti nostri Monasterii est appensum vnacum sigilli appensione et subscriptione manuali dicti magistri Christofori Boyd in signum et vigorem consensus affirmationis et ratificationis premissorum Apud dictum nostrum Monasterium/ et in eiusdem capitulo ad premissa omnia et singula facienda legitime et capitulariter ad sonum campane congregato/ die decimoquinto mensis Iulii anno Domini millesimo quingentesimo Trigesimosecundo. Alexander Hammiltoun abbas de Kilwynnyng/ Karolus Stule/ Jacobus Teyndar/ Johannes Dothane/ Johannes Quhyte/ Georgius Ramsay/ Alexander Scott/ Laurentius Eldar/ Adam Spark/ Johannes Dene/ Thomas Brovne/ Jacobus Brovne/ Willelmus Wricht/ Archibaldus Rankesoun/ Valterus Wilsone/ Willelmus Hammiltoune/ Gilbertus Dawsons/

ABSTRACT.

Petition¹ by Alexander, Abbot of the Monastery of Kilwinning and the Convent of the same, to Gavin, Archbishop of Glasgow, praying that he would consent to the erection of the perpetual vicarage of Dalry into the provostry of the Church of the Blessed Virgin Mary and Anna her mother, to be erected into a collegiate church, and to the advancement of Master Cristopher Boyd, the present vicar, to be Provost of the said church, reserving to the said abbot and convent the right of patronage of the said Provostry. Signed with the common seal of the monastery, and sign manual of the said Master Cristopher Boyd in token of his assent thereto, at the Monastery of Kilwinning the 15th July 1532.

29. *Carta confirmacionis reuerendissimi patris ac Domini Gawini archiepiscopi Glasguensis.*—[3d June 1542.]²

VNIUERSIS et singulis sancte matris ecclesie filiis presentes litteras inspecturis visuris lecturis pariter et auditoris GAVINUS miseratione diuina

¹ *Ecclesiastical Records of Glasgow College*, p. 10.

² *Liber Collegii Nostre Domine* (1846), p. 6.

Archiepiscopus Glasguensis Salutem in omnium Salvatore. Splendor paterne glorie qui sua mundum illuminat ineffabili claritate pia vota fidelium de sue maiestatis clementia tunc benigno fauore prosequitur cum deuota ipsorum humilitas et sincerus affectus in diuini cultus augmentum feruere noscuntur. Nos quoque de superis ad inferiora diriuiatis exemplis piis desideriis justisque supplicantium precibus quos fides spes et charitas ad deuotionis affectum et diuini cultus augmentum continue sollicitarunt vt ad gratiam dispositi et ad gloriam inuitati in piis actibus feruentius et instantius perseuerent tam vigor et equitatis feruor quam rationis ordo fauere nos inducunt Et cum cuncta nobis ecclesie capelle et loca sub Sanctorum fundata et dotata vocabulis pia deuotione fidelium sint veneranda illa tamen que in honore semper Virginis Marie Dei et Domini nostri Jhesu Christi genitricis et Anne matris eius Beataram vocabulis dedicata noscuntur eo ex celebriori memoria conuenit venerari quo Dominus noster Jhesus Christus earundem Marie genitricis sue et Anne matris eius precibus et intercessionibus immediatius et perfectius vota fidelium dirigere et ad gratiam exauditionis admittere valeat LITTERAS igitur venerabilium et religiosorum virorum dominorum Alexandri Hammiltoun abbatis et conuentus Monasterii de Kilwynnyng ordinis Sancti Benedicti nostre Glasguensis diocesis/ patronorum parrochialis ecclesie de Dalry eiusdem diocesis/ necnon circumscriptorum et egregiorum virorum magistrorum Jacobi Houstoune subdecani ecclesie metropolitane Glasguensis/ Collegii infrascripti erigendi primi fundatoris et dotatoris/ ac Christofori Boyd perpetui vicarii dicte parrochialis ecclesie de Dalry/ communibus dictorum dominorum abbatis et conuentus Monasterii antedicti ac Jacobi subdecani et Christofori vicarii perpetui armorum sigillis respectiue sigillatas . pium et laudabile abbatis et conuentus ac Jacobi subdecani et Christofori vicarii predictorum propositum/ perpetuum Collegium Collegiatamque Ecclesiam vnus prepositi et nouem prebendariorum ac trium puerorum/ qui erunt in cantu et alias juxta dicti Collegii erigendi foundationis tenorem experti et in litteratura scientia et moribus eruditi/ in ecclesia Marie semper Virginis et Anne matris eius Beataram in vico Sancte Teneu ciuitatis nostre Glasguensis sita et per dictum Jacobum subdecanum a fundamentis constructa et edificata/ super vicaria dicte parrochialis ecclesie de Dalry que de patronatu prefatorum nunc et pro tempore existentium abbatis et conuentus dicti monasterii de Kilwynnyng perpetuis futuris temporibus existit/ et quam abbas et conuentus prefati predicto Collegio

erigendo et prepositure eiusdem quantum in eiis est de expresso consensu et assensu dicti magistri Christofori Boyd nunc dicte ecclesie parrochialis perpetui vicarii et possessoris ad effectum huiusmodi Collegium dotandi pro vicarii pensionarii in dicta parrochiali ecclesia de Dalry et illius et parrochianorum eiusdem cura perpetuis futuris temporibus deseruituri sustentatione dimembrari primo et deinde annecti cupiunt respectiue et vniri Et super certis aliis terris tenementis possessionibus et annuis redditibus per dictum magistrum Jacobum subdecanum fundatorem ex eius legitimo conquestu et industria acquisitis et in futurum acquirendis et in sustentationem prebendariorum et puerorum dictorum applicandis et diuidendis/ ordinare et fundare/ desiderantes Necnon abbatis et conuentus ac subdecani fundatoris et vicarii antedictorum humiles supplicationes vt predicti Collegii fundationem dotationem dispositionem et ordinationem per nostri officii sollicitudinem ad effectum perducere approbareque ratificare et confirmare ac Collegium huiusmodi erigere illique ecclesiam parrochiam predictam de Dalry vt premittitur vnire annectere et incorporare dignaremur continentes/ recepimus in hec verba REUERENDISSIMO in Christo patri et domino Domino Gauino/ miseratione diuina Glasguensi Archiepiscopo/ Vestre reuerendissime paternitatis humiles et deuoti filii Alexander Hammiltoune abbas Monasterii de Kylwynnyng et eiusdem conuentus ordinis Sancti Benedicti vestre Glasguensis diocesis Ac magistri Jacobus Houstoun subdecanus vestre ecclesie Glasguensis Et Christoforus Boyd perpetuus vicarius parrochialis ecclesie de Dalry eiusdem vestre diocesis Reuerencias et honores cum omni humilitate tanto reuerendissimo patri debitas Nouerit vestra reuerendissima paternitas quonam pacto nos Alexander abbas et conuentus prefati capitulariter congregati matura deliberatione prehabita ac Jacobus subdecanus et Christoforus vicarius antedictus vnanimi consensu et assensu/ ad laudem gloriam et honorem Summe et Indiuidue Trinitatis Patris videlicet Filii et Spiritussancti/ Beatissime Intemerateque Virginis Marie genitricis Dei et Domini nostri Jhesu Christi/ et Beate Anne matris eius/ ac Omnium Sanctorum celestis curie/ pro salute animarum recolendissime memorie Domini Jacobi Quarti Scotorum Regis illustrissimi Et pro salute et prospero statu Domini Jacobi Quinti Dei gratia Scotorum Regis moderni inclitissimi et suorum successorum Ac pro vestra reuerendissima paternitate ac predecessoribus ac successoribus vestris et omnium fidelium defunctorum/ alias nostrum dedisse consensum effectualiter animo fundandi vnum Collegium siue Collegiatam

ecclesiam cum prepositura et certis prebendariis et pueris inferius designandis/ prout tenore presentium nos abbas et conuentus predicti pro nobis et successoribus nostris consentimus/ quod dicta vicaria perpetua parrochialis ecclesie antedictae de Dalry dicte vestre diocesis Cuius presentatio et jus presentandi quotiens eam vacare contigerit nobis abbati et conuentui nunc et pro tempore existentibus predictis pertinere et spectare dinoscuntur/ cum expresso consensu et assensu dicti magistri Christofori Boyd eiusdem ecclesie moderni perpetui vicarii/ in vnam preposituram Et ecclesia ipsa predicta sub vocabulo Marie Virginis et Anne matris Beatarum fundata constructa et dedicata/ in Collegiatam Ecclesiam cum honore dignitate et preeminencia Collegialibus ad diuini cultus augmentum et chori regimen erigantur Et prepositus ipse sublimatus nunc et pro tempore existens vnum vicarium pensionarium ad deseruiendum in cura ecclesie parrochialis antedictae de Dalry perpetuis futuris temporibus sumptibus suis sustinebit prout inferius liquidabitur Quequidem prepositura et vicaria pensionaria erigende et creande quotiens eas simul vel respectiue vacare contigerit semper nunc et omni tempore futuro ad presentationem nostrorum abbatis et conuentus Monasterii de Kilwynnyng antedicti et successorum nostrorum/ vestramque et successorum vestrorum Glasguensis ecclesie Archiepiscoporum collationem ordinariam/ pleno jure spectabunt et pertinebunt Necnon ego dictus magister Jacobus subdecanus firmiter intelligens et credens/ quia in missarum solenniis holocaustum pingue Filius Omnipotenti Patri in odoris suauitate offertur Cui nichil acceptabilius nichil gratius nichil dignius offeri potest/ tam eiis vim esse catholice fidei sinceritas persuadet vt imbecillem humane conditionis fragilitatem in peccatis sepe labentem in gratiam restituant fidelium defunctorum animas ex purgatorii penis eripiant et jam beate ad glorie plenitudinem accedant/ Plane in eorum numero ne reperiar quibus in Exodo dictum est/ Gens absque consilio et prudentia/ vtinam saperent et intelligerent ac nouissima prouiderent/ Animoque reuoluens quod in Apocalipsi scriptum est/ Audiui vocem de celo dicentem Beati mortui qui in Domino moriuntur/ amodo jam dicit Spiritus vt requiescant a laboribus suis/ opera enim illorum sequuntur illos/ Hinc michi charitas exarsit/ hinc pietas exorta est et diuini cultus augendi innata voluntas quam pro facultate prosecutus ad effectum supradictum do et concedo meum consensum et assensum Ac volo quod nouem capellanie inferius designande/ per me ex meo legitimo conquestu et industria fundate acquisite et dotate, in nouem

canonicatus et prebendas pro nouem prebendariis et tribus pueris ad regimen et dispositionem chori dicte Collegiate Ecclesie erigende et diuini cultus augmentum similiter erigantur Quorumquidem canonicatum et prebendarum erigendorum donationem et dispositionem mihi dum in humanis vixero simpliciter reseruo Et post meum decessum ad honorabiles viros dominos balliuos et consules ciuitatis Glasguensis pro tempore existentes presentatio et donatio/ admissio vero et eorum institutio prout in prebendis subsequentibus successiue in locis suis latius et plenius specificabitur et declarabitur/ [spectabunt et pertinebunt] INPRIMUS quidem Preposituram dicte Collegiate Ecclesie Marie semper Virginis et Anne matris Beatarum ciuitatis Glasguensis de vicaria perpetua dicte parrochialis ecclesie de Dalry erigendam et dicte vicarie nomen supprimendum Quiquidem Prepositus habebit pro sua sustentatione omnes et singulos fructus redditus et proventus vicarie dicte ecclesie de Dalry cum oblationibus et aliis emolumentis eedem spectantibus Ac toto manso et mansionem et gleba adiacentibus dicte ecclesie preter assignationem factam vicario pensionario/ ita libere in omnibus et per omnia sicut vnquam antea dicta vicaria cum sua mansionem et gleba habebatur qui etiam Prepositus omnia onera ordinaria et extraordinaria dicte ecclesie et illius vicarie incumbencia solita et consueta, que temporibus preteritis ipse aut sui antecessores soluerunt et soluere de jure vel consuetudine consueuerunt/ soluet et satisfaciet Et etiam idem Prepositus habebit vicarium pensionarium qui perpetuis futuris temporibus curam animarum omnium parrochianorum dicte parrochialis ecclesie de Dalry geret/ ad presentationem et collationem suprascriptas spectantem et pertinentem/ cui singulis annis persoluet decem libras vsualis monete regni Scocie Qui etiam vicarius pensionarius habebit sex acras terre ecclesiastice pertinentes vicarie perpetue dicte ecclesie de Dalry jam prope dictam ecclesiam pro manso et orto suo edificando Et continue remanebit in propria persona apud dictam ecclesiam parrochiale de Dalry et in eiusdem cura continue deserviet ut supra/

ABSTRACT.

Confirmation by Gavin, Archbishop of Glasgow, of letters by Sir Alexander Hamilton, Abbot, and the Convent of the Monastery of Kilwinning, of the Order of St. Benedict, of the diocese of Glasgow, patrons of the parish church of Dalry, in the said diocese; Mr. James Houstoun, sub-dean of

the metropolitan church of Glasgow ; and Christopher Boyd, perpetual vicar of the parish church of Dalry, consenting to the founding of a College or Collegiate Church, to be built under the name of the ever-blessed Virgin Mary, and Anna her mother, in the street of St. Tenew, in the city of Glasgow, which College or Collegiate Church was to be built from the foundations by the said James Houstoune, sub-dean, first founder and donator thereof, upon the vicarage of the parish church of Dalry, belonging to the patronage of the said Abbot and Convent of Kilwinning, and upon certain other lands acquired by the said James Houstoune for that purpose, which church of Dalry and other lands should be united and incorporated in the name of the Virgin Mary, and Anna her mother, and the name of the said vicarage suppressed ; and the said church should have one provost, nine prebendars, and three boys skilled in singing, and learned in literature, science, and of good character, the appointment of whom should be in the hands of the said Master James Houstoune during his life, and thereafter in the hands of the bailies and councillors of the city of Glasgow, subject always to the correction of the said Gavin and his successors ; and the said provost should have all fruits, rents, and profits of the said vicarage of Dalry, with all emoluments pertaining thereto, and with the whole manse, mansion, and glebe adjacent to the said church, besides paying all usual burdens belonging thereto ; and he should also have a vicar-pensionar for the cure of all the souls of the said parish church of Dalry, at a yearly stipend of ten pounds Scots, with six acres of church land pertaining to the said vicarage of Dalry : on condition that he should always remain in person at the said parish church of Dalry, and serve the cure.

30. *Procuratory by the Abbot and Convent of Kilwinning in favour of the College of Justice.*—[1540.]¹

At Edinburghe the thrid day of februar the zeir of god j^m v^c xl zeris
In presens of the lordis of counsale and college of Justice Ane venerable
fader in god alexander abbot of cambuskynnethe president thairof
schew how maister James scott vicar of kilbirny ane of the scribis of
counsale had presentit to him as president And to maister thomas ballen-

¹ *Acta Parl. Scot.*, vol. ii. p. 444.

dene collectour of the said college and to divers vtheris lordis thereof being present for the tyme Ane Mandate maid be ane venerable fader in god alexander abbot of kilwynnyng and convent therof in fauors of the said seite grantand ane zeirleie pensioun therto of the sovme of xxviij lib to be vptakin zeirleie of the vicarage of dunlop pertenyng to maister Jhone mair vsufructuar of the samyne Quhilk pensioun was grantit of befor be the said venerable fader and convent to be tane vp of the vicarage of kilbirny And becaus the vicarage of dunlop Is of gretar Importance and may bettir beir zeirleie the said pensioun and fulfill the seruice of God thane the said vicarage of kilbirny The said venerable fader and convent be thair supplicatioun desirit the saidis lordis to accepte the said last mandat of the pensioun forsaid of the said vicarage of dunlop as the said supplicatioun gevin In befor thame proportit

Clerk of register fforsameklie as We ar informit that maister James Scott vicar of kilbirne ane of the scribis of counsale presentit ane mandat maid be the abbot of kilvynning and convent therof grantand to the sete of Sessioun ane zerlie pensioun of the sovme of xxviij ti to be tane wp of the vicarage of dunlop and that the lordis of Sessioun had acceptit the samin of befor as ane acte and instrumentis taikin therapoune mair fullelie proportis Herefor we exhort prayis and als chargis zow that ze mak ane acte in zour bukis of parliament of the ratificatioun and confirmatioun of the samin conforme to the saidis instrumentis swa that the said acte may be red and pronunsit in our presens and that the samin may haif the Strenthe of ane acte of parliament in tyme tocum.

Subscriuit with our hand at edinburgh the day of December the
zeir of god j^m v^c xliij zeris. JAMES G.

31. *Tack by John Hamilton, Archbishop of Sanctandrois, to Alexander Mure, of the teind sheaves of the lands of Ormesheucht.*—[3d March 1549.]¹

150. Be it kend till all men be thir present letteris, ws Johne be the permissioun of God, Archebischop of Sanctandrois,² primat of Scotland, commen-

¹ *Memorials of the Montgomeries, Earls of Eglinton*, vol. ii. p. 147.

² He was a natural son of James, first Earl of

Arran, "by Mrs. Boyd, a gentlewoman of a very good family in the shire of Ayr."—Keith's *Catalogue*, p. 38.

datour of Pasley, and principale fermare of all and hale the teynd schavis and fruttis of the Abbacy of Kilwynning, with the pertinentis, liand within the dioces of Glasgow, to haff sett and to male lettin, and be the tenour herof settis and to male lettis, to our louitt frend, Alexander Mure, his aires and assignais, ane or ma, all and hale the teynd schavis of his landis and steding callit Ormescheucht, with the pertinentis, liand within the parochine of Irvyne and dioces of Glasgow foirsaid, for all the space and termes of sevin zeris nixt and immediatelie efter folloing the feist of aduincula Sancti Petri, callit Lambmes, bipast, in the zer of God ane thousand five hundreth and fourty-aught zeris, quhilk wes his entris therto, and tharefter to indur and to be broukit and joisit be him, his aires, assignais, and subtenentis, ane or ma, for all the said space and termes of sevin zeris; with power to intromete with the said teynd schavis, vplift and dispone tharapone at their awin handis, or to sett the samyn to vtheris as thai sall think expedient, frelie, quietlie, weill, and in peax, but ony reuocatioun, obstakll or impedimente quhatsumeuer: Payand herfor zerlie the said Alexander, his aires or assignais, ane or ma, to ws, our assignais or factouris thair of, the soume of fourty schillingis vsuale monye of Scotland, at the fest of the Purificatione of our Lady callit Candellmess, during the said space of sevin zeris alanerlie, in name of male. . . . In witness herof to this our present letteris of assedatione subscriuit wit our hand, our signit is affixit, at Hamiltoun, the thrid day of Merche, the zer of God I^m V^e and fourty-nyne zeris, befor thir witnes, Master Andro Oliphant, Maister George (Mure), Jacob Nasmyth, our seruitouris, with vtheris diuers.

SANCTANDROIS.

32. *Charter granting the Lands of Woodside to Ralston of that Ilk.*

[7th March 1551-2.]¹

Omnibus hanc cartam visuris uel audituris Gauinus permissione diuina commendatarius perpetuus monasterii de Kilwynnyng et conuentus eiusdem ordinis sancti Benedicti Glasguensis diocesis salutem in Domino sempiternam Noueritis nos vnanimi consensu et assensu ad hoc capitulariter congregati vtilitate et commodo nostris et dicti nostri monasterii ac successorum nostrorum vndique preuisis pensatis et diligenter consideratis longo et diligenti

¹ Original in the possession of R. W. Cochran-Patrick of Woodside.

tractatu ac matura deliberacione prehabitis in euidentem vtilitatem dicti nostri monasterii et augmentacionem rentalis eiusdem et ad decoram et policiam reipublice regni et contemplacionem statutorum perliamenti desuper editorum Necnon pro nonnullis gratitudinibus benemeritis et seruiciis per honorabilem virum Hugonem Ralstoun de eodem nobis multipliciter temporibus retroactis prestitis et impensis dedisse concessisse assedasse arrendasse et ad feudifirmam seu emphiteosim perpetuam heriditarie dimisisse et hac presenti carta nostra confirmasse necnon tenore presencium dare concedere assedare arrendare locare et ad feudifirmam seu emphiteosim perpetuam heriditarie dimittere et hac presenti carta nostra confirmare dicto Hugoni Ralstoun de eodem ac heredibus suis subscriptis totas et integras nostras sex mercatas terrarum de Wodsyde et Turnorlande cum suis pertinentiis jacentes in baronia de Beith infra vicecomitatum de Air nunc perdictum Hugonem et eius tenentes ipsius nomine occupatas extendentes nunc in nostro rentali in omnibus proficuis ipsis inuicem computatis annuatim ad summam septem mercarum vsualis monete regni Scotie et ad duodecem capones et duodecem gallinas Tenendas et habendas totas et integras nostras sex mercatas terrarum antiqui extentus de Wodesyde et Turnorlande cum suis pertinentiis dicto Hugoni Ralstoun de eodem et heredibus suis masculis de corpore suo legitime procreatis seu procreandis quibus deficientibus seniori heredum suarum feminearum de corpore suo legitime procreatarum seu procreandarum absque diuisione terrarum antedictarum Quibus omnibus deficientibus (quod absit) heredibus suis masculis quibuscunque de nobis et successoribus nostris dicti monasterii abbatibus seu comandatariis et conuentibus eiusdem pro tempore existentibus in feudifirma seu emphiteosi et hereditate imperpetuum per omnes rectas metas suas antiquas et diuisas prout jacent in longitudine et latitudine in domibus edificiis boscis planis moris marresiis cum le mosrowme viis semitis aquis stangnis riulis pratis pascuis et pasturis molendinis multuris et eorum sequelis aucupacionibus venacionibus piscacionibus petariis turbariis carbonibus carbocidiis carbonariis cuniculis cuniculariis columbis columbariis fabrilibus brasinis brueriis et genestis siluis nemoribus et virgultis lignis lapicidiis lapide et calce cum curiis et earum exitibus heirzeldis et mulierum merchetis cum communi pastura libero introitu et exitu ac cum omnibus aliis et singulis libertatibus commoditatibus proficuis et asiamentis ac justis suis pertinentiis quibuscunque tam non nominatis quam nominatis tam sub

terra quam supra terram procul et prope ad predictas terras cum pertinentiis spectantibus seu juste spectare valentibus quomodolibet in futurum libere quiete plenarie integre honorifice bene et in pace sine aliqua reuocatione contradictione aut obstaculo aliquali Soluendo inde annuatim dictus Hugo Ralstoun de eodem heredes sui masculi de corpore suo legitime procreati seu procreandi quibus deficientibus senior heredum suarum feminearum de corpore suo legitime procreatarum seu procreandarum Quibus deficientibus heredes sui masculi quicumque nobis et successoribus nostris abbatibus seu commendatariis dicti monasterii nostrisque et eorundem camerariis ac factoribus pro tempore existentibus summam octo mercarum vsualis monete Scocie ad duos anni terminos festa videlicet penthecostes et sancti Martini in hieme per equales porciones nomine feudifirme in augmentationem nostri rentalis annuatim ad summam tredecem solidorum et quatuor denariorum monete prescripte plusquam vnquam terre antedictae nobis aut predecessoribus nostris temporibus retroactis dederunt seu persoluerunt ac duodecem capones et duodecem gallinas solui consuetas annuatim ac eciam tres sectas curie ad tria placita capitalia tenendum¹ annuatim apud nostrum monasterium de Kilwynnyng vnacum seruiciis nobis et predicesoribus nostris debitis et consuetis secundum formam nostri Rentalis: Necnon heredes antedicti prefati Hugonis duplicando dictam feudifirmam vnus anni primo introitu ad prelibatas terras cum pertinentiis prout vsus est feudifirme tantum pro omni alio onere exactione questione demanda seu seruicio seculari que de dictis terris cum pertinentiis per quoscumque juste exigi poterunt quomodolibet vel requiri Et nos vero dictus Gauinus commendatarius de Kilwynnyng et conuentus eiusdem ac successores nostri commendatarii seu abbates et conuentus monasterii antedicti totas et integras prenominatas sex marcatas terrarum antiqui extentus de Wodesyde et Turnorland cum suis pertinentiis dicto Hugoni Ralstoun et heredibus suis masculis de corpore suo legitime procreatis seu procreandis Quibus deficientibus seniori heredum suarum feminearum de corpore suo legitime procreatarum seu procreandarum absque diuisione dictarum terrarum adeo libere et quiete in omnibus et per omnia forma pariter et effectum ut premissum est contra omnes mortales varantizabimus acquietabimus et imperpetuum defendemus In cuius rei testimonium huic presenti carte nostre manibus nostris subscripte sigillum commune capituli nostri est appensum apud

¹ *Sic.*

dictum nostrum monasterium septimo die mensis marcii anno domino millesimo quingentesimo quinquagesimo primo coram hiis testibus Patricio Hammyltoun de Bogsyde Johanne M'Crenyll Alano Wilsone domino Evmenide Henrisone curato de Kilwynnyng Willelmo Greynschelis et Thoma Park cum diuersis aliis.

(Signed) GAWINUS commendatarius de Kilwynnyng.

Johannes Deyne Jacobus Browne Patricius Flescher Willelmus Wrycht,
Johannes Culper Alanus Steyne Jacobus Mechell Robertus Curry,
Johannes Deyne Willelmus Kirkpatrik.

ABSTRACT.

Charter by Gavin,¹ perpetual Commendator of the Monastery of Kilwinning, and convent thereof, of the order of Saint Benedict, and in the diocese of Glasgow, for the utility and advantage of the said monastery, the increase of the rental thereof, and other considerations, granting to an honourable man, Hugh Ralstoun,² of that ilk, all and whole the six merk lands of Woodside and Turnerland, in the barony of Beith and shire of Ayr, then occupied by the said Hugh and his tenants, the whole yearly rental thereof at the time being seven merks Scots twelve capons and twelve hens: To hold to the said Hugh, and the heirs-male of his body; whom failing, the eldest heir-female of his body, without division; whom failing, to his heirs-male whomsoever, of the abbots or commendators of the said monastery, in feu-farm, fee, and heritage for ever, with all the pertinents of the said lands, including marshes, with "le mosrowme," mills, multures, fowlings, huntings, fishings, peats, turfs, coals, coal-pits, etc.; paying therefor yearly the sum of eight merks Scots in name of feu-farm, in augmentation of the rental to the extent of thirteen shillings and fourpence—more than was ever paid in times past, with the poultry already mentioned, and three suits of court at the three head pleas held yearly at the said monastery, with the services due and wont. Dated and sealed at the said monastery 7th March 1551. (Seal wanting.)

¹ See Pont's *Cunninghame* (Dobie's Edition, 1876), p. 262.

² See Robertson's *Ayrshire Families*, vol. ii. p. 259.

33. *Carta confirmationis Hugonis comitis de Eglintoun.*—[1st Dec. 1552.]¹

Maria Dei gratia Regina Scotorum Omnibus probis hominibus totius terre sue clericis et laicis salutem Sciatis nos cum auisamento et consensu authoritate charissimi nostri consanguinei et tutoris nostri Jacobi Ducis de Chettellarault Arranie comitis Domini Hammiltoun regni nostri protectoris et gubernatoris Quandam cartam infeofamenti factam et datam per venerabilem in Christo patrem Gawinum commendatarium monasterii de Kilwynnyng cum consensu totius capituli eiusdem capitulariter congregati dilecto nostro consanguineo Hugoni comiti de Eglintoun et heredibus suis de toto et integro justiciarie camerarie et balliatus officio omnium et singularum terrarum dicto monasterio de Kilwynning Kilmernok Lyanderoce Beith ac omnium et singularum aliarum terrarum dicto monasterio spectantium et pertinentium vbicunque jacent infra regnum nostrum cum potestate dicto officio Justiciarie camerarie et balliatus vti et exercere Tenendo de dicto commendatario et conuentu et successoribus eorundem in feudifirma et hereditate de mandato nostro visam lectam inspectam et diligenter examinatum sanam integram non rasam non cancellatam nec in aliqua sui parte suspectam ad plenum intellexisse sub hac forma Omnibus hanc cartam visuris vel audituris Gawinus permissione diuina commendatarius perpetuus Monasterii de Kilwynning et eiusdem loci conuentus ordinis Sancti Benedicti Glasguensis diocesis salutem in Domino sempiternam attendentes et animo reuoluentes quod non solum vtile verumetiam nobis et successoribus nostris de prouido et legali Justiciario Camerario et balliuo pro administratione justicie tenentibus et incolis terrarum nostrarum et possessionum seu eorum defensione legitima contra quoscunque ipsos infestare molientes prouidere necessarium est Necnon tenentes bonum fidele et vtile seruicium ac plenaria beneficia gratitudines et supportationes retroactis temporibus per predecessores magnifici et prepotentis Domini Hugonis comitis de Eglintoun Domini Montgomery in tuitione protectione et defensione iurium et libertatum dicti nostri monasterii Et signanter in expugnatione et resistentia malignorum et hereticorum hominum hiis temporibus nostrum monasterium annuatim terrasque nostras et possessiones inuadere temptantium et proficua earundem diripientium Necnon quod predecessores dicti comitis habuerunt

¹ *Registrum Magni Sigilli*, lib. 31, No. 77.

assedationem dicti officii per longum tempus immediate precedens et ad annos futuros Acetiam ad effectum vt ipsi comes antedictus et heredes sui temporibus futuris resistent omni heretice prauitati libertatemque ecclesie solidam suis bonis et rebus defendant Acetiam propter fidele bonum et gratuitum seruicium nobis nostrisque famulis et tenentibus temporibus elapsis quibus eodem egebamus quoad multiphariam predecessores dicti comitis nobis impenderunt Noueritis igitur nos vnacum consensu et assensu ad hoc capitulariter congregati vtilitate et commodo nostris et successorum nostrorum et dicti nostri monasterii vndique preuisis pensatis et diligenter consideratis ac longo et diligenti tractatu et matura deliberatione prehabitis dedisse concessisse et hac presenti carta nostra confirmasse Necnon tenore presentium dare concedere et hac presenti carta nostra confirmare prefato potenti Domino Hugoni comiti de Eglintoun ac heredibus suis in feudifirma et hereditate imperpetuum Totum et integrum Justiciarie camerarie et balliatus officium omnium et singularum terrarum dicti nostri monasterii de Kilwynning Kilmernok Lyanderoce Baith et omnium aliarum et singularum terrarumstrarum eiusdem monasterii vbicunque infra regnum Scotie existentium jacentium excercendum vsitandum et exequendum vt infra videlicet Dando concedendo et committendo dicto comiti et suis heredibus nostram puram liberam et omnimodam potestatem ac mandatum speciale et generale pro nobis et successoribus nostris nostrorumque nomine curias balliatus nostri super prefatis nostris terris et possessionibus locis antedictis quoties prefato comiti et suis heredibus visum fuerit necessarium et oportunum tenentibus incolis et earundem inhabitatoribus ac aliis quibuscunque quorum interest seu interesse poterit affigendi inchoandi affirmandi tenendi et prorogandi ac quociens opus fuerit continuandi sectas vocari faciendi absentes amerciandi transgressores puniendi amerciamenta et prefati balliatus eschaetas curiarum leuandi et ad nostros nostrorumque successorum vsus applicandi et importandi et pro eisdem si opus fuerit namandi et distringendi et de eis compotum ratiocinium faciendi Ac pro nostris similiter firmis proficuis et deuoriis quoties requisiti fuerint namandi et distringendi et ad nostros vsus proprios importandi nostros tenentes et inhabitantes terras nostras eorumque catella et bona coram quibuscunque iudicibus attachiata et arrestata ad priuilegium et libertatem dicte nostre regalitatis replegiandi et reducendi cautionem de colleraith pro iusticia partibus conquerentibus infra iuris terminum limitandi assignandi et ministrandi Inueniendi dandi et prestandi

deputatos vnum seu plures sub ipsis cum clerico seriando Judicatore et aliis officariis justicie ministris et necessariis quibuscunque ad dictam curiam nostri balliatus faciendi creandi ordinandi substituendi et jurari faciendi pro quibus respondere tenebuntur/ Prouiso tamen ille seriandus qui creabitur aut deputabitur pro importatione fructuum reddituum prouentuum et deuoriarum dicti nostri monasterii per nos et successores nostros pro tempore prius nominabitur et elegitur habebitque annuatim pro suo feodo deuoriam per tenentes dicti monasterii seriando solui solitam et consuetam Et quod non licebit prefato comiti nec suis successoribus vnum seriandum pro leuatione et importatione dictorum fructuum et deuoriarum deputare aut creare nisi premitus seriandus ille per nos et nostros successores dicti monasterii pro tempore electus seu nominatus fuerit nec vllo alteri seriando non electo aut nominato vt predicatur licebit vllos prefatorum fructuum proficuum leuare aut cum eiisdem Necnon Justiciarie camerarie et regalitatis nostre curias super prefatis nostris terris et possessionibus cum pertinentiis in locis solitis et consuetis toties quoties nobis nostrisque successoribus visum fuerit expediens oportunum et necessarium et per nos mandatum fuerit et non alias Sic quod non licebit prefato comiti nec suis heredibus curiam seu curias prefatas Justiciarie camerarie statuere inchoare prefigere aut continuare citra mandatum nostrum speciale aut circa premissa vllum processum deducere nisi prius ad hoc nostro habito mandato tenentes nostros de terris nostris et possessionibus legitime ex nostro speciali mandato removendum et ducendum aliosque tenentes in eisdem inducendum et imponendum Et generaliter omnia alia et singula faciendum gerendum et exercendum que ad officium predictum in premissis seu simili de jure seu consuetudine regni pertinere dinoscuntur Etiam si mandatum magis exigit speciale quam presentibus est expressum ratum et gratum habentes et habituros totum id et eius heredes aut eorum deputati seu deputandi vel officarii coniunctim et diuisim nomine nostro in premissis aut premissorum aliquo rite duxerit seu duxerint faciendum sub ypotheca omnium bonorum nostrorum presentium et futurorum Tenendum et habendum Totum et integrum dictum officium cum pertinentiis dicto comiti et heredibus suis de nobis et successoribus nostris in feudifirma et hereditate imperpetuum cum omnibus et singulis libertatibus commoditatibus proficuis et asiamentis ac iustis suis pertinentiis quibuscunque vt supra specificatis ad prefatum officium spectantibus seu iuste spectare valentibus quomodolibet in futurum libere quiete plenarie integre honorifice

bene et in pace sine aliquo impedimento reuocatione contradictione aut obstaculo aliquali Assignantes et dantes dicto comiti et suis heredibus pro eorum laboribus in prefati balliatus officio vsu et functione annuatim summam quadraginta librarum monete Scotie de nostris terris et baronia de Beith leuandam et percipiendam in eorum feodo seu salario Volumus quod singuli nostri tenentes tam liberi quam alii inhabitantes omni tempore affuturo in nostrum et nostrorum successorum absenciis in omnibus equitationibus exercitibus guerris et seruiciis domine nostre Regine aut principis eidem comiti et suis heredibus et deputatis nostris balliuis prompte pareant obediant et seruiant Reseruando tamen nobis et nostris successoribus ariagia cariagia et alia seruicia seculari in omnibus equitationibus exercitibus guerris et seruiciis dicte domine nostre Regine aut principis Reddendo inde annuatim dictus comes et heredes sui nobis et successoribus nostris vnum denarium argentem super solum dictarum terrarum in festo penthecostes nomine albe firme Neeron dictus comes et sui heredes omni tempore affuturo ad suam exactam diligentiam cum eorum presentia amicis bonis consanguineis et assistentibus contra quoscunque inuasores in omnibus casibus causis et actionibus nos nostros successores monasteriumque nostrum annuatim defendant Et similiter exactam faciant suam diligentiam vt singuli tenentes et occupatores terrarum dicti nostri monasterii nobis nostrisue factoribus et camerariis firmas terrarum proficua et deuoria debite persoluant tantum pro omni alio onere exactione questione demanda seu seruicio seculari que de predicto officio exigi poterunt quomodolibet vel requiri Et nos vero Gavinus commendatarius et conuentus antedicti et successores nostri Totum et integrum predictum officium cum omnibus suis pertinentiis in omnibus et per omnia forma pariter et effectum dicto comiti et heredibus suis vt premissum est contra omnes mortales warrantizabimus acquietabimus et imperpetuum defendemus In cuius rei testimonium huic presenti carte nostre manibus nostris subscribe sigillum commune capituli nostri est appensum Apud Kilwynning decimo nono die mensis Maii Anno Domini millesimo quingentesimo quinquagesimo secundo coram his testibus dominis Ewme de Henrysoun Leone Jaksoun capellanis et Jacobo Hammiltoun cum diuersis aliis Quamquidem cartam et infeofamentum in eadem contentum in omnibus suis punctis et articulis conditionibus et modis ac circumstanciis suis quibuscunque in omnibus et per omnia forma pariter et effectum vt premissum est approbamus ratificamus ac pro nobis et successoribus nostris pro perpetuo

confirmamus Reseruando nobis et successoribus nostris jura et seruicia dictorum officiorum ante hanc presentem confirmationem nobis et successoribus nostris solita et consueta Insuper nos cum auisamento et consensu predicti tutoris volumus et concedimus ac pro nobis et successoribus nostris decernimus et ordinamus quod hec presens nostra confirmatio tanti erit roboris vigoris et efficacit dicto nostro consanguineo et heredibus suis in futurum ac si eadem per nos ante sasinam eorundem captam per prefatum nostrum consanguineum de huiusmodi officiis concessa fuisset non obstante sasina per ipsum inde capta cum quo nos cum consensu antedicto cum dicto nostro consanguineo Hugone comite de Eglintoun per presentes dispensamus In cuius rei testimonium huic presenti carte nostre confirmationis magnum sigillum nostrum apponi precepimus Testibus prout in aliis cartis precedentibus consimilis date [reuerendissimo in Christo patre Johanne¹ Archiepiscopo Sancti Andree etc. thesaurario nostro dilectis nostris consanguineis Georgio comite de Huntlie ac Moraue Domino Gordoun et Badzenach cancellario nostro² Archibaldo comite Ergadie domino Campbell et Lorne, etc.³ venerabili in Christo patre Georgio commendatario monasterii nostri de Dunfermling nostri secreti sigilli custode dilectis nostris familiaribus magistris Thoma Marioribankis de Ratho nostrorum rotulorum registri ac consilii clerico Johanne Bellenden de Auchnoule nostre justiciarie clerico et Alexandro Levyingstoun de Donypace nostre cancellarie directore] Apud Edinburgh primo die mensis Decembris Anno Domini millesimo quingentesimo quinquagesimo secundo et regni nostri decimo.

ABSTRACT.

Confirmation by Mary, Queen of Scots, under the Great Seal, of a charter granted by Gavin, Commendator of the Monastery of Kilwinning and Convent of the same, in favour of Hugh, Earl of Eglinton,⁴ whereby, on the narrative of the usefulness and necessity to the said monastery of a prudent and legal justiciar, chamberlain, and bailie, for the administration of justice

¹ John Hamilton, natural son of the Earl of Arran, was Archbishop of St. Andrews 1546-1570.

² George, Earl of Huntly, was born in 1513; succeeded his grandfather in 1523; was consti-

tuted Chancellor in 1546, and died 1562.—Crawford's *Officers of State*, p. 82.

³ Archibald, fourth Earl of Argyll, died in 1558.—Douglas's *Peerage*, vol. i. p. 91.

⁴ Third Earl of Eglinton, 1546-1585.—*Memorials of the Montgomeries*, vol. i. p. 40.

to the tenants and inhabitants of the lands of the said monastery, and for their lawful defence against any that attempted to trouble them ; and also remembering the useful service and rich benefits rendered by the predecessors of Hugh, Earl of Eglinton, in the safeguard and defence of the rights and liberties of the said monastery, and especially in opposing by force, and resisting malignant and heretical men, in these times attempting every year to invade their monastery and lands and possessions, and to rob their revenues ; and also that the predecessors of the earl had for a long period held the said office ; and also to the effect that the said earl and his heirs might in time to come resist all heretical doctrine, and defend the solid liberty of the church ; and finally, for the faithful, good, and thankful service done by the said earl's predecessors, to them and their servants in times past when they were needful of it, therefore they gave and granted to the said Hugh, Earl of Eglinton, and his heirs in feu-farm and heritage for ever, all and whole the office of justiciary, chamberlainry, and bailiary of all and sundry the lands of the said Monastery of Kilwinning, Kilmarnock, Lyandcroce, Beith, and others, wheresoever lying in the kingdom of Scotland : Giving and committing to the said earl full power to hold courts of bailiary, and to administer justice in the usual way : To hold of the said Abbot and his successors in feu and heritage ; assigning to the said earl and his heirs, for their labours in the said office, the sum of £40 Scots furth of the lands and barony of Beith as their fee and salary ; willing that the tenants of the said lands and other inhabitants, in the absence of the said Commendator and his successors, should promptly obey and serve the said earl and his heirs in all raids, hosts, wars, and services of the Queen or Prince ; reserving, however, the arriage, carriage, and other secular services in all such raids, hosts, and wars : The said earl and his heirs rendering to the granter and his successors yearly the sum of one silver penny upon the ground of the said lands in name of blench : Providing also that the said earl and his heirs should do exact diligence in time coming with their presence, friends, goods, kinsmen, and assistants, against any invaders, and defend the said monastery in all cases, causes, and actions, etc. Dated at Kilwinning 19th May 1552. The confirmation is dated at Edinburgh 1st December same year.

34. *Confirmation of a Charter by Gavin, Commendator of Kilwinning, to Alexander Terbert, of the Lands of Corshill; with other relative Documents.—Dated at Glasgow 18th July 1559.*¹

Vniuersis et singulis sancte matris ecclesie filiis presentes literas inspec-
turis visuris lecturis pariter et audituris Joannes Hammyltone succentor
Villelmus Hammyltone et Joannes Layng ecclesie metropolitane Glas-
guensis canonici Iudices commissarii et executores delegati cum illa clausula
*discretioni vestre committimus et mandamus ac vobis aut duobus vestrum
coniunctim procedentibus*, etc., ad Infrascripta a sede apostolica specialiter
deputati Salutem In omnium Saluatore et nostris huiusmodi Imouerius apos-
tolicis firmiter obedire mandatis. Literas Reuerendissimi in Christo patris
et domini Joannis miseratione diuina Sancti andree archiepiscopi regni
Scotie primatis ac cum potestate legati a latere sancte sedis apostolice legati
sigillo legationis sue apostolice cera rubea albe impressa capsula ferrea
oblonga circumdata a filis rubeis more ipsius legationis apostolice impendente
necnon literas siue cartam venerabilis in Christo patris et domini Gauini per-
missione diuina monasterii de Kilwynnyng ordinis diui Benedicti Glas-
guensis diocesis perpetui commendatarii et conuentus eiusdem pergameno
scriptas sigillo communi dicti monasterii ac subscriptionibus manualibus
dictorum commendatarii et conuentus subscriptas et sigillatas ac etiam
instrumentum saisine sanas siquidem et integras non vitiatas non cancellatas
non raras nec in aliqua sui parte suspectas sed omni prorsus vitio et suspi-
cione vt in eis prima facie apparebat carentes nobis per prouidum virum
Alexandrum Terbert coram notario publico et testibus infra scriptis pre-
sentatas nos cum ea qua decuit reuerentia noueritis recepisse huiusmodi sub
tenore JOANNES miseratione diuina archiepiscopus Sanctiandree Regni Scotie
primas ac cum potestate Legati a latere sedis apostolice Legatus Dilectis
nobis in Christo Ecclesie Glasguensis succentori et Willelmo Hammyltone
ac Johanni Layng eiusdem ecclesie canonicis Salutem ex iniuncto nobis ab
apostolice sedis culmine Legationis officio ad ea nostre mentis cogitatus pro-
pensius dirigat debemus per que singulorum locorum ecclesiasticorum pre-
sertim regularium et monasteriorum ac personarum inibi pro vite studio
degentium et vota sua abiectis mundanis illecebris sub suauis religionis et

¹ From Paper in possession of J. Whitefoord Mackenzie, Esq.

contemplationis jugo abissimo persoluentium commoditatibus consulitur et vtilitatibus subuenitur exhibita siquidem nobis nuper pro parte dilectorum nobis in Christo incolarum habitantium et colonorum de Kilwynnyng Beith et Lyencorse Glasguensis diocesis petitio continebat Quod alias dilectus nobis in Christo Gauinus perpetuus commendatarius monasterii de Kilwynnyng ordinis Sancti Benedicti Glasguensis diocesis cupiens dicti monasterii conditionem efficere meliorem de consensu prioris et conuentus eiusdem monasterii ad infra scripta capitulariter congregatorum Necnon pro diuersis pecuniarum summis sibi per dictos exponentes gratanter et integre persolutis et In ipsius monasterii illiusque domorum regularium et dormitorii ac rectorii ad summum ab imo dirutorum reparationem et restaurationem conuersis et conuertendis habito etiam desuper diligenti tractatu ac matura deliberatione Totam et integram baroniam et seu terras de Kilwynnyng Beith et Lyencorse dicte diocesis iuxta suos fines sitas et positas et ad ipsum monasterium legitime spectantes et pertinentes tenendas et habendas eisdem exponentibus pro seipsis eorumque forsan heredibus et successoribus masculis quibuscunque etiam coniunctim et separatim seu diuisim dedit concessit locauit et arrendauit ac in feudifirmam et hereditariam emphiteosim sub certo annuo canone siue censu et redditu summam quinquaginta librarum stirlingorum secundum communem estimationem non excedentem in certis locis et terminis soluendam ac cum nonnullis pactis legibus et conditionibus declarationibus limitationibus tunc expressis in euidentem dicti monasterii vtilitatem et commodum ac augmentationem rentalis seu annui redditus eiusdem plusquam vnquam terre predictae predecessoribus suis soluere consueuerunt dimisit et alias alia fecit prout in diuersis cartis et auctenticis desuper confectis literis plenius continetur cum autem sicut ea subpigeat petitio dationes concessionem arrendationes et dimissiones huiusmodi in euidentem dicti monasterii vtilitatem cesserint et cedant cupiantque exponentes prefati illas pro earum subsistentia firmiori apostolice confirmationis munimine roborari supplicari fecerunt humiliter et super his per sedem eandem de opportuno remedio nunc prouideri Nos igitur ad infrascripta sufficienti facultate instante de premissis certam notitiam non habentes ac baronie et seu terrarum huiusmodi veriores situs confines veteres annuos valores qualitates quantitates et circumstantias ac veriora vocabula necnon cartam et seu literas prefatas hic forsan latius de necessitate exprimentes tenores pro plene et sufficienter expressis habentes et attendentes quod in his

In quibus singulorum locorum ecclesiasticorum evidens procuratur vtilitas fauorabiles esse debemus atque benigni auctoritate apostolica nobis concessa et qua fungimur in hac parte discretioni vestre committimus mandamus quatenus vos vel duo vestrum coniunctim procedentes vocatis vocandis de dationibus concessionibus arrendationibus et dimissionibus predictis diligenter vos informetis Et si per informationem eandem quod ille In euidentem dicti monasterii vtilitatem cesserint et cedant Repereritis super quibus conscientiam vestram oneramus dationes concessionibus arrendationes et dimissiones easdem ac prout illas concernunt omnia et singula in carta et seu literis predictis contenta et inde secuta quecumque licita tamen et honesta etiam cum veriori si videbitur omni tenore cartarum et seu literarum huiusmodi productione expressione et insertionem dicta auctoritate specialiter vel generaliter approbetis et confirmetis eisque perpetue firmitatis robur adiiciatis ac ea valida et efficaciter existere suosque plenarios effectus sortiri ac perpetuo inuiolabiliter observari sic que per quoscunque iudices et commissarios quauis etiam auctoritate fungentes sublata eis et eorum cuilibet quauis etiam aliter iudicandi et interpretandi facultate et auctoritate iudicari et interpretari debere ac quicquid secus attemptari contigerit irritum et inane decernatis supplendo omnes et singulos tam juris quam facti defectus si qui forsitan interuenerint in eisdem Non obstantibus premissis et felicis recordationis Pauli pape ij. de rebus ecclesie non alienandis et quibusvis aliis apostolicis ac in prouincialibus et synodalibus editis generalibus vel specialibus conciliis constitutionibus et ordinationibus necnon monasterii et ordinis predictorum statutis et consuetudinibus etiam iuramento confirmatione apostolica vel quauis firmitate alia roboratis priuilegiis quoque indultis et literis apostolicis eisdem monasterio et conuentui ac ordini illorumque superioribus et personis sub quibuscunque tenoribus et formis ac cum quibusvis etiam derogatoriis derogatoriis aliisque fortioribus efficacioribus et insolitis clausulis irritantibus et aliis decretis iteratis vicibus concessis approbatis et Innouatis Quibus omnibus illorum tenores ac si de verbo ad verbum nihil penitus omisso et forma in illis tradita observata foret insererentur presentibus pro plene et sufficienter expressis habentes insertis et obseruatis illis alias in suo robore permansuris hac vice duntaxat specialiter et expresse derogamus ceterisque contrariis quibuscunque. Datum Edinburgi nostre Sanctiandree diocesis anno Incarnationis dominice millesimo quingentesimo quinquagesimo octauo pridie nonas

decembris pontificatus sanctissimi domini nostri Pauli quarti anno quarto. Sequitur tenor carte OMNIBUS hanc cartam visuris vel auditoris Gauinus permissione diuina commendatarius monasterii de Kilvynnyng et conuentus eiusdem ordinis diui Benedicti Glasguensis diocesis Salutem in Domino sempiternam Noueritis nos vnanimi consensu et assensu ad hoc capitulariter congregatorum vtilitate et commodo nostris et successorum nostrorum vndique preuisis et pensatis diligenti tractatu et matura deliberatione prehabitis ac pro politia in regno habenda in euidentem vtilitatem dicti nostri monasterii et in augmentationem rentalis eiusdem ac pro quibusdam summis pecuniarum nobis pre manibus per dilectum nostrum Alexandrum Terbert ad reparationem predicti nostri monasterii ruinosi et caduci gratanter et integre persolutis in pecunia numerata dedisse concessisse arrendasse locasse et ad feudifirmam hereditarie dimississe et hac presenti carta nostra confirmasse necnon dare concedere arrendare locare et ad feudifirmam hereditarie dimittere et hac presenti carta nostra confirmare pro nobis et successoribus nostris pro perpetuo prefato Alexandro Tarbart et suis heredibus masculis propinquiorebus quibuscunque totas et integras nostras viginti solidatas noui extentus terrarum de Corshill nunc per eundem Alexandrum inhabitatas jacentes in perochia et regalitate nostra de Kilwynnyng Balliuatu de Conygham et infra vicecomitatum de Aire Tenendas et habendas totas et integras memoratas terras de Corshill cum pertinenciis prefato Alexandro Tarbart et suis heredibus vt supra de nobis et successoribus nostris in feudifirma et hereditate imperpetuum per omnes rectas metas suas antiquas et diuisas prout jacent in longitudine et latitudine in boscis planis moris merresiiis viis semitis aquis stagnis riuulis pratis pascuis et pasturis aucupationibus venationibus piscationibus petariis turbariis carbonibus carbonariis cuniculis cuniculariis columbis columbariis hortis pomeriis siluis nemoribus virgultis lignis tignis lapicidiis lapide et calce fabrilibus brasinis brueriis genestis et mulierum merchetis cum communi pastura liberis introitu et exitu ac cum omnibus aliis et singulis libertatibus commoditatibus proficuis ac justis suis pertinenciis quibuscunque tam non nominatis quam nominatis tam subtus terra quam supra terram procul et prope ad predictas terras cum pertinenciis spectantibus seu juste spectare valentibus quomodolibet in futurum libere quiete integre honorifice bene et in pace sine impedimento aut reuocatione quacunque Reddendo inde annuatim prefatus Alexander Terbert et heredes sui vt supra nobis nostris successoribus et camerariis summam viginti solidorum monete

tanquam firmam ante presentem infeodationem pro eisdem terris solui solitam et consuetam vnacum summa quadraginta denariorum monete ratione augmentationis presentis infeodationis plusquam vnquam terre antedictæ nobis aut predecessoribus nostris antea persoluerunt seu dederunt extendentem in toto ad summam viginti trium solidorum et quatuor denariorum monete ad festa videlicet penthecostes et Sancti martini in hieme per equales portiones et omnia alia debita et deuoria in nostra antiquo rentali contenta vnacum multuris molendinis nostris debitis et consuetis Necnon prestando presentiam personalem vel tres sectas curie ad nostra tria placita capitalia cum seruitiis in curiis nostris Justiciarie et camerarie cum contigerint Necnon heredes dicti Alexandri duplicabunt dictam feudifirmam primo anno eorum introitus ad predictas terras cum pertinentiis prout vsus est feudifirme tantum pro omni alio onere exactione questione demanda seu seruitio seculari que de predictis terris cum pertinentiis per quoscunque iuste exigi poterunt quomodolibet vel requiri Prouiso etiam si duo termini currant in tertium terminum solutione minime facta de canone et feudifirma suprascriptis ad terminos vsitados et prescriptos eo casu volumus quod dicta locatio feudifirme nullius sit roboris aut momenti et vacabit de cetero ac si presens locatio minime fuisset facta sine aliquo processu aut strepitu juris Et reseruamus quod non licebit prefato Alexandro suisve heredibus alienare aut vendere predictas terras sine aliquam partem earundem sine licentia nostra aut successorum nostrorum desuper petita et obtenta sub pena forisfacture et amissionis illius partis terrarum alienati seu venditati Et si secus fecerint casu quo supra volumus quod dicta locatio feudifirme nullius sit roboris aut momenti ac si presens locatio minime fuisset facta sine aliquo processu aut strepitu juris Et nos vero prefati commendatarius et conuentus et nostri successores totas et integras prenominatas terras de Corshill cum pertinentiis prefato Alexandro Terbert et heredibus suis vt supra in omnibus et per omnia forma pariter et effectum vt premissum est contra omnes mortales varantizabimus acquietabimus et defendemus imperpetuum Insuper dilectis nostris Jacobo Hammilton de Wodsyde coniunctim et diuisim balliuis nostris in hac parte specialiter constitutis Salutem Quia assedauius arrendauius et ad feudifirmam hereditarie dimisimus dilecto nostro Alexandro Terbert et heredibus suis masculis propinquioribus quibuscunque Totas et integras nostras viginti solidatas noui extentus terrarum de Corshill cum pertinentiis per eundem Alexandrum tempore confectionis presentium occupatas jacentes in perochia

et regalitate nostra de Kilwynnyng balliutu de Conyghame et infra vicecomitatum de Aire prout in presenti carta nostra desuper confecta plenius continetur Vobis igitur et vestrum cuilibet coniunctim et diuisim firmiter precipimus et mandamus quatenus visis presentibus indilate statum saisinam hereditariam ac possessionem realem actuaalem et corporalem omnium et singularum dictarum terrarum de Corshill prefato Alexandro vel eius actornato latori presentium secundum formam et tenorem huius presentis carte nostre juste haberi faciatis et deliberetis Et hoc nullo modo omittatis Ad quod faciendum vobis et vestrum cuilibet coniunctim et diuisim nostram plenariam et irreuocabilem tenore presentium committimus potestatem. In cuius rei testimonium sigillum commune capituli nostri presentibus manibus nostris subscriptis est appensum apud Kilwynnyng die decimo octauo mensis decembris anno Domini millesimo quingentesimo quinquagesimo septimo coram his testibus Roberto Hammiltone camerario de Kilwynnyng Jacobo Hammilton de Wodsyde Alexandro Cowper de Brigend Roberto Masoune sic subscribebatur Gawinus commendatarius de Kilwynnyng Joannes Culpas Jacobus Browne Patricius Flescheur Willelmus Wryght Alanus Stene Jacobus Mechel Robertus Curry Joannes Dene Willelmus Kilpatrick Georgius Morisone David Wynzet Alexander Henderson Sequitur tenor saisine In DEI NOMINE, Amen; per hoc presens publicum instrumentum cunctis pateat euidenter quod anno Incarnationis dominice millesimo quingentesimo quinquagesimo septimo die vero mensis decembris vigesimo quarto Indictione decima quinta Pontificatus Sanctissimi in Christo Patris Domini Pauli diuina prouidentia pape quarti anno tertio. In mei notarii publici et testium subscriptorum presentia personaliter constitutus honorabilis vir Jacobus Hammilton de Wodsyde balliuus in hac parte venerabilis in Christo patris Gawini commendarii monasterii de Kilwynnyng et conuentus eiusdem virtute et vigore precepti saisine in quadam carta feudifirme inserti sub eorum manualibus subscriptionibus et communi sigillo loci eiusdem cera alba pendente roborata eidem balliuo presentata per Alexandrum Terbert causa et occasione status et saisine sibi reddende Quam vero cartam cum precepto in eadem mihi notario publico perlegendum tradidit sub tenore vt sequitur Insuper dilectis nostris Jacobo Hammyltone de Wodsyde coniunctim et diuisim Balliuis nostris in hac parte specialiter constitutis Salutem Quia assedauius arrendauius et ad feudifirmam hereditarie dimisimus dilecto nostro Alexandro Terbert et heredibus suis masculis propinquioribus quibus-

cunque totas et integras nostras viginti solidatas noui extentus terrarum de Corshill tempore confectionis presentium inhabitatas per dictum Alexandrum jacentes in perochia et regalitate de Kilwynnyng balliuatu de Conygham et infra vicecomitatum de Aire Tenendas de nobis et successoribus nostris in feudifirma et hereditate prout in carta nostra desuper confecta plenius continetur Vobis igitur et vestrum cuilibet firmiter precipimus et mandamus balliuis nostris antedictis quatenus visis presentibus indilate statum et saisinam hereditariam necnon realem actualem et corporalem possessionem omnium et singularum dictarum terrarum de Corshill cum pertinentiis prefato Alexandro Terbert vel suo certo attornato latori presentium secundum formam et tenorem presentis carte nostre juste deliberetis et haberi faciatis Ad quod faciendum vobis et vestrum cuilibet coniunctim et diuisim nostram plenariam et irreuocabilem tenore presentium committimus potestatem. In cuius rei testimonium sigillum commune capituli nostri nostris manibus subscriptis presentibus est appensum apud Kilwynnyng die decimo octauo mensis decembris anno domini millesimo quingentesimo quinquagesimo septimo coram his testibus Roberto Hammilton camerario de Kilwynnyng Jacobo Hammiltone de Wodsyde Alexandro Cowper de Brigend Roberto Mason subscriptiones eorundem Gauinus commendatarius de Kilwynnyng Johannes Culpar Jacobus Browne Patricius Flescher Willelmus Wryght Alanus Stene Jacobus Mechell Robertus Curry Johannes Deyne Willelmus Kilpatrik Georgius Moresoun Daud Wynzet Alexander Hendersone. Post perlecturam huiusmodi precepti dictus balliuus personaliter accessit ad solum dictarum terrarum de Corshill et ibidem manu sua propria statum et saisinam hereditariam necnon realem actualem et corporalem possessionem omnium et singularum prescriptarum terrarum de Corshill cum pertinentiis prefato Alexandro Terbert per terre et lapidis fundi earundem exhibitionem contulit et donauit secundum formam et tenorem sue carte Acta erant hec super fundum dictarum terrarum hora octaua ante meridiem sub anno die indictione et pontificatu prenotatis Presentibus ibidem Roberto Hammiltone camerario de Kylwynnyng Alexandro Masone Willelmo Miller et Petro Brown testibus ad premissa rogatis et requisitis Sic subscribebatur Et ego vero Alexander Cowpar clericus Glasguensis diocesis publicus sacra auctoritate apostolica notarius Quia premissis omnibus et singulis dum sic vt premittitur dicerentur agerentur et fierent vnacum prenomina- tis testibus presens personaliter Interfui Eaque omnia et singula sic fieri vidi sciui et audiui

ac in notam cepi ex qua hoc presens publicum instrumentum manu alterius fideliter scriptum exinde confeci et in hanc publicam formam instrumentalem redege signoque et nomine et subscriptione solitis et consuetis signavi. In [fidem et] testimonium veritatis omnium et singulorum premissorum Rogatus et requisitus. Post Quarumquidem literarum apostolicarum carte et saisine predictarum presentationem et receptionem nobis et per nos vt premittitur factas fuimus per prefatum Alexandrum Terbert principalem pro se et heredibus suis subscriptis debita cum instantia requisiti quatenus ad executionem dictarum literarum apostolicarum et contentorum in eisdem juxta traditam seu directam in eisdem nobis a sede apostolica predicta formam procedere curaremus Nos igitur Joannes Hammiltone succentor Willelmus Hammiltone et Joannes Layng ecclesie metropolitane Glasguensis canonici iudices executores et commissarii delegati prefati attendentes requisitionem huiusmodi fore justam et rationi consonam volentesque mandatum apostolicum huiusmodi reuerenter exequi vt tenemur Primitus tamen et ante omnia pro infrascriptorum vberiori executione facienda venerabilem in Christo patrem et dominum Gauinum permissione diuina monasterii de Kilwynnyng ordinis Sancti Benedicti Glasguensis diocesis perpetuum commendatarium et conuentum eiusdem specialiter nominatos et in specie Omnesque alios et singulos sua communiter vel diuisim interesse habentes seu habere pretendentes Quosque infrascriptum tangebatur negotium seu tangere poterat quomodolibet in futurum generaliter et in genere in prefato monasterio et in valuis ecclesie eiusdem per literas nostras citatorias patentes sigillis nostris roboratas ac manu notarii publici subscripti coram nobis in huiusmodi negotio scribe et tabellionis deputati signatas et subscriptas debiteque executas et indorsatas ad comparandum coram nobis seu duobus nostrum coniunctim In ecclesia metropolitana Glasguensi et in insula diui Michaelis Archangeli infra eandem die et hora infrascriptis Ad videntum et audiendum dationem concessionem et ad feudifirmam ac emphiteosim perpetuam dimissionem de totis et integris viginti solidatis terrarum antiqui extentus de Corshill nunc inhabitatis per dictum Alexandrum cum suis pertinentiis jacentibus in parrochia et regalitate de Kilwynnyng balliuatu de Conygham et infra vicecomitatum de Aire in preinserta carta expressatis et specificatis Et ad dictum Gauinum et pro tempore existentem abbatem seu commendatarium et conuentum dicti monasterii de Kilwynnyng legitimum spectantibus ac per eundem Gavinum commendatarium dicti monasterii

modernum de expressis consensu et assensu conuentus eiusdem prefato Alexandro Terbert et heredibus suis masculis propinquioribus quibuscunque per suas cartam et literas patentes seu instrumenta publica In euidentem tamen dicti monasterii de Kilwynnyng et Gavini illius commendatarii moderni et conuentus eiusdem ac successorum suorum omnium In eodem monasterio pro tempore canonice intrantium vtilitatem factas et concessas ac omnia et singula in dictis preinsertis literis apostolicis ac carta instrumentisque prefatis contenta et descripta Et prout illas et illa concernunt approbari et confirmari Eisque perpetue firmitatis robur adiici ac valida et efficacitiam existere suosque plenarios effectus sortiri ac perpetuo inuolabiliter obseruari Sic que per quoscunque iudices quauis auctoritate fungentes sublata eis et eorum cuilibet quauis aliter iudicandi et interpretandi facultate et auctoritate iudicari et diffiniri debere ac quicquid secus attemptari contigerit irritum et inane decerni Omnesque et singulos tam juris quam facti defectus sequi forsitan interuenerint in eisdem suppleri Ac dictum dominum Gauinum commendatarium dicti monasterii de Kilwynnyng modernum et conuentum eiusdem eorumque successores ad obseruationem dationis concessionis et dimissionis predicti perpetuis futuris temporibus teneri astringi et firmiter obligatos esse et fore eadem auctoritate apostolica antedicta similiter decerni et declarari Decretumque et auctoritatem nostram Immo uerius apostolicam in premissis omnibus et singulis prout iustum foret interponi et vltius ad videndum et audiendum nonnullos testes fidedignos de et super recognitione carte literarum et instrumentorum predictorum et eorundem sigillorum appositione manualiumque subscriptionum in eisdem descriptorum necnon verificatione omnium et singulorum in preinsertis literis apostolicis ac carta et aliis literis seu instrumentis prefatis contentorum animique nostri in premissis omnibus et singulis informatione per nos recipi jurari et admitti Et super premissis omnibus et singulis et eorum occasione examinari et interrogari aliaque per nos fieri que in literis apostolicis preinsertis precipiuntur et mandantur vel ad dicendum allegandum et probandum causam seu causas rationabilem seu rationabiles quare premissa omnia et singula fieri non debent legitime et peremptorie citari fecimus iussimus et mandauimus cum intimatione et certificatione debitis et consuetis quoad siue dicti citati in dicte nostre citationis termino comparere curauissent et nihil contra premissa allegassent seu probassent siue non comparuissent Nos nihilominus aut duo nostrum

conjunctim ad premissa omnia et singula prout nobis in prefatis preinsertis literis apostolicis precipitur et mandatur Et prout justum foret procedere-
mus ipsorum sic citatorum absentia vel contumacia In aliquo non obstante Quibusquidem die et hora aduenientibus comparuit coram nobis infra dictam ecclesiam metropolitanam Glasguensem et in insula diui Michaelis archangeli infra eandem pro tribunali sedentibus dictus Alexander Terbert pro se et heredibus suis prescriptis Et prefatas literas nostras citatorias debite executas et indorsatas reportauit Nosque in causa et causis huiusmodi coniunctim vt premittitur ac rite procedentes prefatum venerabilem patrem Gauinum commendatarium monasterii de Kilwynnyng ordinis et diocesis predictorum et conuentum eiusdem specialiter nominatos et in specie omnesque alios et singulos sua communiter vel diuisim interesse habentes seu habere pretendentes Quosque infrascriptum tangebatur negotium seu tangere poterat quomodolibet in futurum generaliter et in genere sic vt premittitur legitime et peremptorie citatos trina vice per notarium publicum subscriptum coram nobis in huiusmodi negotio scribam et tabellionem deputatum vocari fecimus Et quia nulli comparuerunt ad dicendum vel obiiciendum vel contra premissa aut eorum aliquod in toto vel in parte Alexander Terbert principalis prefatus pro se et heredibus suis prescriptis prefatorum omnium interesse habentium seu habere pretendendum citatorum vocatorum et non comparentium contumacias accusauit et ipsos prout merito sunt reputandi contumaces per nos reputari instantanter petiit et postulauit Quos contumaces reputauimus prout tenore presentium reputamus Eisque et eorum cuilibet in premissis desuper silentium perpetuum imponimus Et in penam contumacie eorum literas apostolicas ac cartam preinsertas huiusmodi per notarium publicum subscriptum coram nobis in huiusmodi negotio scribam et tabellionem deputatum alta et intelligibili voce de verbo ad verbum perlegi fecimus et mandauimus Adque executionem vltiorem huiusmodi preinsertarum literarum apostolicarum et contentorum in eisdem instante dicto Alexandro duximus procedendum Deque premissis omnibus et singulis et eorum circumstantiis que in dictis preinsertis literis apostolicis ac carta continentur per nonnullos fidedignos et omni exceptione maiores testes numero plures ad hoc per literas nostras legitime citatos vocatos et coram nobis in iudicio iuratos interrogatos et diligenter examinatos Inquisiuiumus et informauiumus nos etiam diligenter de eisdem Et quia tam per inquisitionem et informationem quam per testium depositiones

huiusmodi comperimus omnia et singula in prefatis Reuerendissimi domini legati literis narrata et exposita ac in carta et literis venerabilis in Christo patris et domini Gauini permissione diuina monasterii de Kilwynnyng ordinis Sancti Benedicti Glasguensis diocesis perpetui commendatarii et conuentus eiusdem prefato Alexandro Terbert et heredibus suis masculis propinquioribus factis vt premittitur contenta et expressata coram nobis sufficienter cum eorum sigillis et manualibus subscriptionibus prefatis ita fore et veritate fulciri dictasque dationem concessionem ad feudifirmam ac emphiteosim hereditariam dimissionem de dictis viginti solidatis terrarum de Corshill antiqui extentus cum pertinenciis jacentibus et occupatis vt prefertur in prescripta carta expressatis et specificatis Et per prefatum Gauinum commendatarium dicti monasterii de Kilwynnyng modernum de expressis consensu et assensu conuentus eiusdem prefato Alexandro et heredibus suis prescriptis pro se et successoribus suis omnibus pro tempore existentibus abbatibus seu commendatariis et conuentibus dicti monasterii de Kilwynnyng In annuam et perpetuam augmentationem rentalis eiusdem et domini Gauini commendatarii eiusdem moderni et conuentus ac successorum suorum omnium In eodem monasterio pro tempore canonice intrantium euidentem vtilitatem factas et concessas ex causis in carta et literis ac commissione apostolica prefatis cessasse et cedere Et propterea per dictum Alexandrum pro se et heredibus suis prescriptis coram nobis propter hoc personaliter constitutum debita cum instantia fuit supplicatum vt ipsis super premissis omnibus et singulis providere de auctoritate apostolica dignaremur. Nos igitur Joannes Hammiltone succentor Willelmus Hammlytown et joannes Layng canonici ecclesie metropolitane Glasguensis iudices executores et commissarii delegati prefati attendentes requisitionem huiusmodi fore justam et rationi consonam desideriaque justa petentium congruo fauore prosequentes In votis eorum oracionis tramite non discordant libenter exhibemus nos et benignos In causa et causis huiusmodi coniunctim vt premittitur ac rite procedentes

forma et tenore literarum apostolicarum preinsertarum et singulis aliis de jure seruandis nostram deffinitiuam ad instantiam prefati Alexandri pro se et heredibus suis prescriptis principalis predicti id humiliter fieri petentis prout sequitur tulimus sententiam CHRISTI NOMINE INUOCATO Nos Joannes Hammiltone succentor Willelmus Hammiltown et Joannes Layng ecclesie metropolitane Glasguensis canonici iudices executores et commissarii delegati cum illa clausula *discretioni vestre committimus et mandamus*

ac vobis aut duobus vestrum coniunctim precedentibus, etc. Ad infrascripta a sede apostolica videlicet Reuerendissimo in Christo patre et domino Joanne miseratione diuina Sanctiandree Archiepiscopo regni Scotie primato ac cum potestate Legati a latere sedis apostolice legato dictaque sede specialiter deputati In ecclesia metropolitana Glasguense et in insula diui Michaelis Archangeli infra eandem coniunctim pro tribunali sedentes et solum Deum pre oculis habentes Eiusque nomine Sanctissimo Inuocato auditis primitus prouidi viri Alexandri Terbert partis principalis allegationibus Carta feudifirme et perpetue emphiteosis terrarum subscriptarum eidem facta ac aliis iuribus per nos visis consideratis et intellectis Testiumque depositionibus pro in eisdem ac literis ac commissione apostolica prefatis nobis directis contentorum verificatione inscriptis diligenter predictis seruatisque omnibus et singulis circumstanciis et solemnitatibus per nos in presenti negotio obseruari solitis et aliis de jure seruandis Per hanc nostram sententiam diffinitiuam Quam vigore prefato commissionis apostolice nobis desuper facte ferimus In his scriptis pronunciamus decernimus et finaliter declaramus dationem concessionem et ad feudifirmam ac emphiteosim perpetuam dismissionem de totis et integris viginti solidatis terrarum antiqui extentus de Corshill cum pertinentiis nunc per dictum Alexandrum occupatis jacentibus in perochia et regalitate de Kilwynnyng Balliuatu de Conyghame et infra vicecomitatum de Aire et ad venerabilem in Christo patrem et dominum Gauinum permissione diuina monasterii de Kilwynnyng ordinis Sancti Benedicti Glasguensis diocesis perpetuum commendatarium et conuentum eiusdem legitime spectantibus Ac per eundem dictum Gauinum dicti monasterii de Kilwynnyng commendatarium modernum de expressis consensu et assensu conuentus eiusdem dicto Alexandro Terbert et heredibus suis masculis propinquioribus quibuscunque in annuam et perpetuam augmentationem rentalis dicti monasterii et domini Gauini illius commendatarii moderni et conuentus eiusdem ac successorum suorum omnium in eodem monasterio pro tempore canonice intrantium euidentem vtilitatem Ex causis in carta et literis ac commissione apostolica prefatis cessisse et cedere Et propterea dationem concessionem et ad feudifirmam ac emphiteosim perpetuam dimissionem predictas ac omnia et singula in commissione et carta ac literis instrumentoque prefatis desuper confectis contenta descripta et specificata Et prout illas et illa concernunt approbandas et confirmandas approbandaque et confirmanda duximus Prout harum serie auctoritate apo-

stolica nobis commissa et qua fungimur in hac parte ac omnibus melioribus modo via forma jure et causa Quibus melius et efficacius possumus et debemus approbamus et confirmamus Eisque perpetue firmitatis robur adiicimus ac ea valida et efficatia existere suosque plenarios effectus sortiri et perpetuo inuiolabiliter obseruari sicque per quoscunque iudices quauis auctoritate fungentes sublata eis et eorum cuilibet quauis aliter iudicandi et interpretandi facultate et auctoritate iudicari et interpretari debere ac quicquid secus attemptari contigerit irritum et inane decernimus omnesque et singulos tam juris quam facti defectus siqui forsitan interuenerint in eisdem supplemus ac dictum dominum Gauinum commendatarium dicti monasterii de Kilwynnyng modernum et conuentum eiusdem eorumque successores ad obseruationem dationis concessionis et dimissionis predictorum perpetuis futuris temporibus teneri astringi et firmiter obligatos esse et fore eadem auctoritate apostolica antedicta similiter decernimus et declaramus Decretumque et auctoritatem nostram Imoverius apostolicam in premissis omnibus et singulis Interponimus per presentes non obstantibus illis omnibus et singulis que idem Reuerendissimus dominus Legatus prefatus in literis suis preinsertis voluit non obstare Et hoc omnibus et singulis quorum interest notum facimus per presentes In Quorum omnium et singulorum fidem et testimonium premissorum hac presentes literas siue hoc presens publicum instrumentum processum huiusmodi nostrum in se continentes seu continens ex inde fieri fecimus Et per notarium publicum subscriptum subscribi et publicari mandauimus sigillorumque nostrorum iussimus et fecimus appensione communiri Datum et actum infra ciuitatem Glasguensem die decimo octauo mensis Iulii anno Domini millesimo quingentesimo quinquagesimo nono Indictione secunda pontificatus Sanctissimi in Christo patris et domini nostri Pauli pape quarti anno quinto presentibus ibidem prouidis viris Magistro Andrea Laing rectore de Hoddem Patricio Mungumry de Sevinakeris, Archibaldo de Auchinskeyth, Georgio Mungumry de Manis, Alexandro Cowper de Brigend, Jacobo Layng, et sone testibus ad premissa vocatis habitis et requisitis.

Et ego vero Henricus Gibsone artium magister clericus ciuitatis Glasguensis sacraque auctoritate apostolica notarius publicus Quia premissis omnibus et singulis dum sic vt premittitur coram dictis iudicibus dicerentur agerentur et fierent vnacum

prenominatis testibus presens personaliter Interfui Eaque sic fieri vidi et audiui ac in notam cepi Ideoque hoc presens publicum instrumentum processum huiusmodi confirmationis in se continens manu mea propria fideliter scriptum exinde confeci et in hanc formam redegi et publicaui Signoque nomine et cognomine meis solitis et consuetis signaui in fidem robur et testimonium veritatis omnium et singulorum premissorum Rogatus et requisitus.

HENRICUS GIBSONE.

ABSTRACT.

Notarial Instrument on the Confirmation, by John Hamilton, subchantor, William Hamilton and John Layng, canons of the metropolitan church of Glasgow, judges commissaries and executors delegate, specially deputed by the apostolic see, of certain letters presented to them by a prudent man, Alexander Terbert, viz.—(1.) Letters by John, Archbishop of St. Andrews, Primate of the kingdom of Scotland, with the power of a legate *a latere* of the holy see, with the seal of his apostolic legation impressed, addressed to the aforesaid subchantor and canons, and narrating that a petition was lately presented to his Grace on the part of the inhabitants and husbandmen of Kilwinning, Beith, and Lyencorse, of the diocese of Glasgow, to the effect that Gavin, perpetual Commendator of the Monastery of Kilwinning, desiring to improve the condition of the said monastery, with consent of the prior and convent thereof, and for certain sums of money paid by the petitioners for the repair and restoration of the said monastery, and of the houses, dormitory, and refectory of the regulars of the same, being ruined from the foundation to the top, did give, let, and set to them the barony and lands of Kilwinning, Beith, and Lyencorse, situated near their boundaries, and belonging rightfully to the said monastery, to be held in feu-farm and heritable emphyteosis, under a certain annualrent not exceeding the sum of fifty pounds sterling, according to common estimation, payable at certain places and terms, for the evident advantage and increase of the rental of the said monastery, as in their several charters and authentic letters was more fully contained, which the said petitioners humbly desired might be secured by apostolic confirmation; for which purpose the said Archbishop granted power to the said judges commissaries, after they should have duly inquired as to the advantage of the said monastery in the matter: Given at Edinburgh, in

the diocese of St. Andrews, 4th December (*pridie nonas Decembris*) 1558 : (2.) Charter by Gavin, Commendator of the Monastery of Kilwinning, and convent of the same, whereby, for the evident utility of the said monastery, and increase of the rental thereof, and for certain sums of money paid beforehand by Alexander Terbert, for the repair of the said monastery, being ruinous and decayed, they granted and set to feu-farm, to the said Alexander Terbert and his heirs-male, all and whole the twenty shilling lands of new extent of Corshill, then inhabited by the said Alexander, lying in the parish and regality of Kilwinning, bailiery of Cunningham, and shire of Ayr, paying therefor the yearly rent of 20s. as the farm before the present infestment, and 40 pence by reason of augmentation of rental, and presenting personal presence at three head pleas, with services in their courts of justiciary and chamberlainry when they occurred, the heirs of the said Alexander to double the said feu-farm on the first year of their entry to the said lands ; providing that it should not be lawful to the said Alexander, or his heirs, to sell the said lands, or any part thereof, without licence of the granters, under pain of forfeiture of the part sold : Sealed and subscribed at Kilwinning 18th December 1557, before these witnesses, Robert Hamilton, chamberlain of Kilwinning, James Hamilton of Woodsyde, Alexander Cowper of Brigend, Robert Mason : (3.) Sasine following on and in terms of the said charter, dated 24th December 1557. After the presentation and reception of which apostolic letters, charter, and sasine, the said judges were requested, with instance, by the said Alexander Terbert, principal, for himself and his heirs, to put the said letters to execution ; whereupon the said judges holding the said request to be just and consonant with reason, and willing to obey the apostolic mandate, thereupon reverently, as they were bound, issued letters of citation summoning the said Gavin, Commendator of Kilwinning, and the convent thereof, and all others having interest, to compare before them in the metropolitan church of Glasgow, and in the aisle of St. Michael the Archangel, to see and hear the said grant of the lands of Corshill approved and confirmed in due form ; and because they did not compare the said Alexander accused them of contumacy, and instantly asked and demanded that they should be held contumacious by the said judges ; to which demand they assented, and imposed perpetual silence upon them in the premises ; and in punishment of their contumacy commanded the said letters and charter to be read before them by the notary in a loud

and intelligible voice, word for word; and having examined witnesses in regard thereto, they gave decret of confirmation accordingly. Given at the City of Glasgow 18th July 1559.

35. *Act in fauouris of the lord boyd.*—[1579.]¹

(Lord Boyd had bought from Gavin Hamilton of Raploch the following lands, which had been set in feu to Raploch by the late Gavin, Commendator of Kilwinning in 1559, 1563, and 1566.)

. All and haill the wod callit the Innerwod² and new park of kylwynning liande within the parochine and regalie of kylwynning and sherefdom of Air The medow callit the swandame medow³ The medow callit deane williame woddis medow⁴ The medow callit the Rowne medow The medow callit dalglen⁵ medow Aucht aiker of land callit the beir flat⁶ The waired callit mekle waired alias bogwaired The medow callit the prioris medow and personis fauld The medow callit mekle medow alias braid medow and nyne aikeris of land callit kilrig⁷ alias oxinwaired The myln callit synacrie⁸ myln, with four aikeris of land adiacent thairto and astrictit multuris therof vsit and wount and all and sindrie thair pertinentis Together with the teyndis of all and sindrie the foirsaidis landis with thair pertinentis liand as said is The nyntene schilling four penny land of new extent of quhyt hirst Thrie schilling sex penny land of auld extent of ovir quhyt hirst Twenty penny land of brigend eister Twenty four schilling lande of auld extent of overhill of bayth with the teyndis of the samin Twenty schilling foure penny lande of new extent of boigsyd within the parochyne of bayth and regalie foirsaid with the teyndis of the samin Twa schilling aucht penny lande of the saidis landis of boigsyde of auld extent Aucht schilling foure penny lande of the samin landis ellevin schilling aucht penny land of the saidis landis of boigsyd of new extent

¹ *Acta Parl. Scot.*, vol. iii. p. 177, c. 60.

² This lay about half a mile north of the abbey, now called the Near Wood.

³ Perhaps a meadow below the Near Wood.

⁴ Now called the Dean's Yard, at "Green" Foot, or Deanfield.

⁵ Perhaps Dalgow.

⁶ Now Byreflat.

⁷ A malt kiln and yard near Kilwinning Mills.

⁸ Now Sevenacres Mill.

foure schilling tua penny lande of the landis foirsaidis liand in the parochyne of kylwinning regalitie and shrefdomes foirsaidis

[In 1565 the Abbacy was set apart, along with Paisley, Kelso, Jedburgh, and Newbattle, for the royal charges.—*Register of the Privy Council of Scotland* (1877), vol. i. p. 412.]

36. RATIFICATIONOUN to *williame wylie, writtar*.—[1592.]¹

OUR SOUERANE LORD with auise of the estaitis of this present parliament ratifies apprevis and confermis his hienes lettres of gift: Off the zeirlye pensioun Off meill grantit and gevin to his louit seruitor william wylie writter ffor his lyftyme: furth of the abbacie of kilwinning: And Speciallie of the gift maid to him vnder the priuie seill: off the dait at falkland the xxiiij day of Julii the zeir of god j^mv^e fourscoir elleuin zeiris: efter his Maieisties full and perfite aige of xxv zeiris compleit: Contening assignatioun of the said pensioun with all clausis pointis and articles thairin contenit: declarand decernand and ordinand that the said william sall bruik joyse and vplift the said pensioun according to his giftes decreittis and lettres alreddie grantit or to be grantit to him thairvpoun: notwithstanding quhatsuneuer actis constitutionis or ordour maid in the contrair: or tending onywayis to the preiudice of the saidis giftes: Queranent his hienes with auise foirsaid dispensis be this present acte.

37. *Tack by John Archbishop of St. Andrews, Commendatar of Kilwinning, in favour of David Cuninghame of Robertland, of the Teinds of Lands in Stewarton Parish. Dated 21st December 1616.*²

Be it kend till all men be thir present lettres, Ws, Johnne, be the mercie of God, Archibishop of Sanctandrois, commendatar of the abbacie of Kilvynning, vndoubtit person of the parochie kirk and parochin of Stewartoun, with advyse and consent of Mr. Williame Castellaw, present minister at the said kirk of Stewartoun, vnderstanding that Dauid Cuninghame of Robertland, and his predicessoris, ar and have bene kyndlie takismen and posses-

¹ *Acta Parl. Scot.*, vol. iii. p. 626, c. 161.

² Original in the possession of the Society of Antiquaries, Scotland.

soris of the teyndis of all and sindrie the Landis and vtheris vnderwryttin,
 perteyning to him heritable thir many and dyvers yeiris bygane, Thairfoir,
 and for certane soumes of money guid and vsuall of this realme, contentit,
 payit, and reallie and with effect delyuerit to ws be the said Daudid Cuning-
 hame, in name of gressum, for making and granting of the tak and asseda-
 tioun efter specifeit, quhairof we hald ws weill contentit and satisfeit, and
 for ws and our successoris exoneris, quytclames, and simpliciter dis-
 chargis the said Daudid Cuninghame, his airis, executoris, and all vtheris
 quhome it effeiris of the samine for now and euir, Witt ze ws, with advyse
 and consent fairsaid, To have sett, and in tak and assedatioun lattin, And be
 the tennour heirop, with advyse and consent abonewritten, Settis, and in
 tak and assedatioun Lattis, To the said Daudid Cuninghame of Robertland, for
 all the dayis zeiris, tyme and space of his lyftyme, and efter his deces To
 his narrest and lauchfull air for all the dayis, zeiris, tyme and space of the
 lyftyme of the said air maill; and efter the decese of the said air, To the
 said air maill his narrast and lauchfull air maill quhatsumeuir succeding to
 him, for all the dayis, zeiris, tyme and space of the lyftyme of the said
 secund air maill; and after the decese of the secund air maill, to his
 narrest and lauchfull airis maill and assignayis quhatsumeuir, for all the
 dayis, zeiris, tyme and space of nynetene zeiris nixt and immediatlie fo[llow-
 ing] the deceis of the said secund air maill; and efter the ische and expyr-
 ing of the said first nynetene yeiris, ffor all the dayis, yeiris, tyme and space
 of vther nynetene yeiris nixt and immediatlie thairefter following; and
 efter the ische and expyring of the said secund nynetene zeiris, for all the
 dayis, zeiris, tyme and space of vther nynetene zeiris nixt and immediatlie
 following; and efter the ische and expyring of thrid nynetene zeiris, for all
 the dayis, yeiris, tyme and space of vther nynetene zeiris nixt and imme-
 diatlie thairefter following; and efter the expyring of the ferd nynetene
 yeiris for all the dayis, zeiris, tyme and space of vther nynetene zeiris; sua
 that this present tak and assedatioun sall indure for all the dayis, yeiris,
 tyme and space of the lyftymes of the said Daudid Cuninghame, and of the
 tua airis maill fairsaidis succeding to him successiue efter vtheris, and
 fyve nynetene zeiris thairefter, All and sindrie the teynd scheavis callit the
 personage teyndis of all and sindrie the Lands particularlie vnderwrittin,
 viz., off all and haille the four pund sax schilling aucht penny land of
 Robertland and Breadieland; off all and haille the fourtie schilling land of

over Lochrig, quhilk is the maynis of Robertland; off all and haill the sax merk land of Foulschaw; off all and haill the tuentie schilling land of Spittell; off all and haill the sax merk land of Over and nether Cassiltounis; off all and haill the fourtene schilling land of Horsmure and Lochemylne; and off all and haill the ffyve merk land of nether Blaklaw, lyand within the parochin of Stewartoun, baillarie of Cuninghame, and sherefdome of Air, perteyning to the said abbacie of Kilwyning as ane pairt of the patri-monie thairrof, Begynnand the said Dauid Cuninghame of Robertland his entrie to the saidis teyndis at the feist of Lambes last in the yeir of God ane thousand sax hundreth and saxtene zeirs instant, and thairefter to indure during the lyftymes, zeiris, and spaces respectiue forsaidis, but intervall or brek of tyme or space, With full power to the said Dauid Cuninghame of Robertland, his airis maill and assignayis forsaidis To gadder teynd, leid, collect, intromett with and vptak all and sindrie the forsaidis teynd scheivis off all and sindrie the landis particularlie abonespecifeit of the crop and zeir of God ane thousand sax hundreth and saxtene yeiris, and in tyme cuming during the lyftymes, zeiris and space abonespecifeit: And thairvpone to dispone at thair plesour, And to call and persew thairfoir as accordis of the Law, and to rais and caus execut inhibitiounis yeirlie vpone the saidis teyndis, and to geve acquittances and dischargis thairvpone, transact, compone, and aggrie thairanent, siclyk and als frielie in all respectis as we micht have done our selfis befor the making heirop: With full power lykwayis to the said Dauid Cuninghame of Robertland and his airis maill forsaidis, to assigne transfer and dispone, or to sett in subtakis and assedatiounis, ane or ma, in haill or in pairt All and sindrie the teynd scheavis of all and sindrie the landis particularlie abonewrittin during the haill lyftymes yeiris and space respectiue abone specifeit, To quhatsumeuir persone or persones he or thai sall think expidient: Payand thairfoir yeirlie the said Dauid Cuninghame of Robertland his airis maill and assignayis forsaidis to the ministeris present or to cum serving the cure at the said kirk during the lyftymes zeirs and space respectiue abone specefeit All and Haill the victuall and silver dewtie efter specifeit in maner and at the termis following, viz. The soume of ffourtie Sevin Pundis monie zeirlie at Mertimes, and sax bollis and ane firlet aitt meill guid and sufficient stufte betuix Zuill and Candlemes, Begynnand the first yeiris payment of the said silver dewtie at Mertimes last, and the said wictuall dewtie betuix the feistis of Zuill and

Candlemes nixtocum of maill and dewtie allanerlie : Providing that geve the said zeirlie dewtie be not payit within tua monethis efter ilk ane of the saidis termis respectiue, In that caice the said Daid Cuninghame and his forsaidis salbe bund to pay the dowble of sameikle of the said dewtie of money and victuall that sall not be payit at the time forsaid zeirlie : And siclyk the said Daid Cuninghame and his airis maill and assignayis forsaidis releiving ws and our successoris of all taxatiounis imposit vpon the saidis teyndis during the lyftymes zeiris and space abone specifeit : And of the reparatioun of the said kirk and also of the furnishing of the elementis of breid and vyme to the celebratioun of the communioun within the said kirk allanerlie. Quhilk tak and assedatioun abonewrittin We bind and oblis ws and our successoris abbotis of the said abbacie to warrand acquyet and defend to the said Daid Cuninghame of Robertland his airis maill and assignayis forsaidis during the lyftymes zeirs and spaces respectiue abonewrittin In all and be all things as is abone specifeit, at all hands and against all deidlie, as law will, fra our awin proper fact and deid allanerlie.—In witness quhairof (written be James Lennox, seruitor to Mr. Alexander Guthrie, commoun clerk of Edinburgh) we have subscrywit thir presentis with our handis and haue caussit append heirto our awin proper seill, Togidder with the commoun seill of the said abbacie in steid of the consent of the convent thair of, At Edinburgh the tuentie-ane day of December the zeir of God ane thousand sax hundreth and saxtene zeiris, Befoir thir witness Johnne Spottiswode our sone, Mr. Johnne Hay, clerk deput of Edinburgh, and the said James Lennox.

W. Castellaw, *Minister at
Stewartoun*, consents.

SANCTANDRWS, *abbot of
Kylwinning*.

Johnne Spottiswood, *witnes*.

Maister Johnne Gray, *witnes*.

J. Lennox, *witnes*.

[*To be continued.*]

XII.

PROCEEDINGS OF THE GILD COURT OF AYR, FROM THE AYR MANUSCRIPT.

THE Ayr Manuscript is one of the oldest of those compilations which have preserved to our times the remaining fragments of our early legislation. It is a small volume, consisting of eighty-five leaves of vellum, eight inches by five and a half; and, with the exception of a few later additions, is written in fair handwriting of the early part of the fourteenth century, with rubricated titles of sections and initial letters.

Of its history little is known. But, from the circumstance that the kalendar, with which the volume closes, commemorates, on the 9th of July (vij^o Id. Jul.), the dedication of the church of Jedburgh; and that two pages, originally left blank, have been filled by a contemporary hand with a copy of a treaty for the settlement of the Borders in 1346, we may be permitted to conjecture that it was written in Teviotdale, and remained for a time in the possession of some dweller on the East March. In the beginning of the fifteenth century it appears, from some jottings on other blank pages relative to the proceedings of the Gild Court of Ayr in 1428-31, also in handwriting of the time, to have passed into the hands probably of the town-clerk of that burgh. In the year 1824 it was purchased at a book-stall in Ayr by Mr. Ebenezer Thomson, one of the masters in the Academy there, and from that circumstance it took the name by which it has since been known. It was soon after acquired for the General Register House, and proved a valuable and opportune aid to the editors of the first volume of the Record edition of the *Acts of the Parliaments of Scotland*, in adjusting, with the help of other early collections of the same kind, the text of the more ancient capitulars there printed. It was then in its old oak boards, and in a somewhat dilapidated condition; but has since been repaired and suitably bound.

The following collation will show the nature of its contents :—

Fol. 1 a. A collection of laws without any general title, in handwriting of the early part of the fourteenth century, but obviously different from that in which the rest of the manuscript is written. This, together with the pages which contain the greater part of the two following items, forming the first gathering of the volume, was perhaps originally unconnected with what follows.

Fol. 7 b. Copy of Indenture of Agreement concluded at Roxburgh, 30th October 1346, for the submission and settlement of the Scottish Borders after the battle of Durham, in a handwriting apparently contemporary.¹

Fol. 8 b. Notes of Proceedings of the Gild Court of Ayr, 1428-31, also in a hand of the time. Fol. 9 has originally been written on both sides by the same hand as foll. 1-7 ; but the writing, of which some words and occasional traces of rubricated letters are still visible, has been erased.

Fol. 10 b. Table of Contents of the remainder of the volume. Here apparently the manuscript proper begins, and it is throughout in one fair and uniform hand, written probably, as Mr. Innes has suggested,² between 1314 and 1329. This is inferred from the fact that, while the battle of Bannockburn is mentioned, King David I. and King Robert I. are spoken of simply as King David and King Robert, without distinctive epithet, as if no second king of either name had as yet ascended the throne.

Fol. 11 a. *Assisa regis David rex Scotorum facta apud Novum Castrum super Tynam.*

Fol. 15 b. *De articulis inquirendis in burgo in itinere Camerarii secundum usum Scocie.*

Fol. 18 b. *Capitula Capelle regis Scocie, tam de literis in curiis placitandis, quam de brevibus per regem de Cancellaria mittendis.* (This collection of styles of Chancery briefs, and other royal writs, is valuable as preserving the oldest remaining vestiges of Scottish civil process.)

Fol. 30 b. *Assise regis David facte apud Strivelyn.*

Fol. 42 b. [*Statuta regis Roberti.*]

Fol. 49 b. *Leges burgorum Scocie.*

¹ This treaty is printed *Act. Parl. Scot.*, i. p. 180, note.

² In his account of this MS., *Act. Parl. Scot.*, i. 179.

Fol. 68 a. Statuta Gilde apud Berwicum facta.¹

Fol. 76 a. [Juramenta officiariorum, etc.]

Fol. 77 b. Notes of Proceedings of the Gild Court of Ayr, 1430-1.

Fol. 78 a-83 b, Kalendar. The only saints connected with Scotland commemorated in it, as originally written, are Kentigern and Columba. St. Kevoca is inserted at the 13th of March, in a hand of the fifteenth century, obviously after the book had passed into Ayrshire, where the saint was held in reverence. At the 5th of October appears this note, "anno, etc., m° cccc° xxvij fuit magnus ventus."

The only part of the contents of this Manuscript which possesses any local interest is the series of notes of minutes of the Gild Court of Ayr, accompanied with a list of the brethren of the gild. They are not in chronological order, and are somewhat carelessly written, as will appear from the grammatical errors they contain; but they are here reproduced without alteration, except re-arrangement in the order of their dates. Being only examples of the ordinary proceedings of a Scottish merchant gild of the period, they require but little illustration or comment.

Memorandum quod die Lune, ij die mensis Augusti, anno Domini m° cccc° xxvij°, concordatum est inter uxorem² Hugonis Buthman et uxorem Thome Carric, coram decano gilde et melioribus ville tunc ibidem, quod partes predictæ decetero servabunt concordiam et amisi[ti]am inter eos ita quod, si discordia ex aliqua parte orta fuerit, pars conquerens veniat ad presentiam prepositi et ballivorum pro remedio habendo, et si qua pars culpabilis fuerit inventa, solvet fabrice ecclesie Sancti Johannis Baptiste de Are x nobilia; et ipsa culpabilis ducetur in camisia per villam super le cuke-stule, et jurabit quod, decetero per annum, villam non intrabit; et de hoc nulla erit venia: Plegii Thomas Hakate et Willelmus Diksone.

Curia gilde tenta coram preposito et decano gilde die Veneris, xvij° die Decembris, anno Domini m° cccc° xxvij°, omnibus confratribus gilde con-

¹ The Statutes of the Gild of Berwick, passed about 1250 (printed *Act. Parl. Scot.*, i. 431, and *Anc. Laws, etc., of Scot.*, p. 64, Burgh Records Society), may be held as representing generally the laws of merchant gilds in Scotland.

² Women were admitted to the freedom of

the gild. These were generally, however, the wives, daughters, or sisters of gild brethren; and while they participated in the benefits of the association they took no part in the management of its affairs.

gregatis: Statutum fuit cum consensu et assensu totius gilde electi fuerunt v personas pro utilitate gilde, viz. Thomas Carric, Johannes Bathcate, Patricius Hayre, Johannes Browne et Patricium M'Martyne, qui electi eodem die et jurati fuerunt ad emendum omnia mercimonia intransia portus maris ad comodum gilde, et equaliter debent participare sine fraude;¹ et si quis contrarium fecerit, et convictus fuerit, amittet principale et condempnetur in viijs.

Et si quis emat coria vel semilibus antequam intraverint le Blak Stane et le smedys in Carric Gate,² amittet principale et erit in octo solidis. Et si quis presumat emere coria, vel aliqua mercimonia, extra manum vicini sui, perdet principale et [erit] in viijs.

Curia gilde de Are tenta in ecclesia de Ar, coram aldermanno et decano gilde, xxvj die mensis Octobris, anno Domini m° cccc° xxx: curea confirmata, secta vocata et absentibus in amerciamentis:

Quo die Andreas Farchar factus fuit gildus, et finit xl^{as}.

Curia gilde tenta in tollonio die Mercurii, xxiiij° die mensis Novembris,³ anno Domini m° cccc° xxx°:

Quo die Johannes Broun et Johannes Boyman in amerciamento curie, quia ceperunt denarios alienorum ad negociandum;⁴ et super hoc convicti fuerunt per assisam.

Curia gilde tenta in tollonio die Veneris, xxij die mensis Novembris, anno Domini m° cccc° xxxj:

¹ The merchandise so purchased was distributed among the brethren, according to their wants, at the cost price. This was frequently done by the provosts and bailies of burghs, in behalf of the whole community, in the case of cargoes of corn and other provisions, in order to prevent the price of the necessities of life from being raised by the operations of speculators. —See *Extracts from Rec. of the Burgh of Edinb.* 1403-1528, pp. 4, 37 (Burgh Rec. Society).

² The site of the "Blak Stane" is now unknown; but the mention of the smithies shows that the market was close to the Carrick Port. Mr. D. Murray Lyon, who has bestowed much attention on the antiquities of Ayr, informs me that there were smithies close to each of the gates of the burgh.

³ Wednesday was the 22d of November in the year 1430.

⁴ The offence here referred to was probably that of "colouring unfreemen's goods," as it was called;—that is buying merchandise for unfreemen or strangers, as if for themselves, in breach of their oath, the penalty attached to which was usually loss of freedom. Or, it may have been a breach of the law thus expressed in the Berwick Statutes:—"Si quis confrater noster accipiat denarios alicuius mercatoris alienigene ad negociandum, et de hiis super forum certum lucrum capiat de sacco lane vel lasta coriorum, aut de pellibus vel aliis mercimoniis, condempnetur primo et secundo in xl solidis. Et si tercio super hoc convictus fuerit, amittet gildam in perpetuum, nisi aldermannus et confratres gilde sibi gratiam concedere voluerint."

Quo die decretum est, cum concensu et assensu omnium confratrum gilde, quod nullus recipietur in libertatem gilde nisi manuatym¹ solvat propter libertatem.

Eodem die Johannes Senescalli factus fuit frater gilde, et juravit fidelitatem domino regi et communitati et confratribus gilde, et finit manuatym vř.

Eodem die Fergusius Kennydy factus fuit gildus, et finit manuatym xlř.

Et eodem modo Donaldus Glovar factus fuit gildus, virtute hereditaria uxoris sue,² et finit vř.

Eodem die Rogerus Wischart factus fuit gildus, et finit xlř.

Eodem die Johannes Wischard factus fuit gildus, et finit xlř.

Eodem die Macolmus Quilqwen factus fuit gildus, et finit xlř.

Curia gilde de Are tenta in tollonio eiusdem, coram aldermanno et decano gilde, xvij die mensis Februarij, anno Domini m° cccc° xxxj°: curea confirmata, sectis vocatis et absentibus in amerciamentis :

Quo die Henricus Bogwod in voluntate, quia iniuste foristallavit³ gildam in empcone coriorum et aliorum mercimoniorum pertinencium ad libertatem gilde: Fergusio Kennydy plegio.

Eo die, et in eadem causa, Jacobus Cordonar in voluntate: Fergusio Kennydy plegio.

Quo die Johannes Sadlar factus fuit gildus pro introitu debito Roberto Mour, et juravit fidelitatem domino regi et communitati; set nichil finit.

Curea gilde de Ar tenta in tollonio eiusdem, coram aldermanno et decano gilde, xxj° die mensis Marcij, anno Domini m° cccc° xxxj°: curea confirmata, secta vocata et absentibus in amerciamentis :

Quo die Adam Lachlin factus fuit gildus, et juravit fidelitatem domino

¹ Pays down his entry-money; for which it had been customary to accept security.

² The Statutes of the Gild of Berwick ordained that "nane salbe ressavyt within our fraternitie of gild les than 40s., except they be gild sonnes and gild dochters." Sons included sons-in-law. The fees were sometimes remitted in recognition of special services, and sometimes discharged in work done for the burgh, or in such payments in kind as that mentioned above as made by Adam Lachlin.

³ Forestalling, or buying merchandise before it was brought to market, or before the hour of market, was an offence against which burghal legislation was earnestly directed. It was ordained that "na man that wonnys in the kyngis burgh, na yit ututh, sal be sa hardy, on the mercate day, for to pas ututh the lymytis of the burgh for to by ony gudis, befor that it cum wythin the yhettis of the toune. And thai that dois the contrare, and tharapon is convyckit, sal pay amerciament of 8s. unforgyffyn."—*Leges Burgorum*, c. lxxii.

regi et confratribus gilde, et finit manuatym quatuor celdras calcis ad constructionem pretorii etc.

Quo die Patricius Hunter in amerciamento curie, quia non adfuit Duncanum Hunter ad istum diem.

Eodem die Johannes Red

Quo die Johannes Multerer factus fuit gildus, et juravit fidelitatem domino [regi] et confratribus gilde, et finit manuatym ij marcas, et alteram marcarn dabit inter nunc et festum Pentecostes.

Memorandum that it is concordit in the plane gyld, with consent and assent of the hail breder of the gyld, that na gyld breder sal for a tholmont¹ sell na fres hydys to na man, and naymly to the burg of Irwyn,² wnder the pan of xld. and the hydys chet³ alsa; and this sal endour for a yer efter this wyrt. Wretyn the xxj day of March, the yher of our Lord m° cccc° and xxxj° yher: The fyrst vnlaw xld.; syn vñ.; and the tyrd tym viijš.

The following list of brethren of the gild, dwelling within burgh and without, comes after the minute of 17th December 1428; but, as it begins a page, its precise date is uncertain. It is obviously, however, of later date than 21st March 1431, inasmuch as it contains the names of the brethren admitted on that day:—

+ HOGS M^cCHARRY yhounger.
 • MORICE GLOVAR.
 + THOM SOURLESOUN.
 • HUCHOUN BUTHMAN.
 • THOM OF CARRIK.
 • PATRIK M^cMARTYN.
 • PATRIK AHAR.
 GIB LANG.
 ab THOM CHEPMAN.
 + JHON BROUN.
 + JHON NICHOLSOUN.
 NEVYN CHEPMAN.

JHON BELL.
 ANDRO WRYCHT.
 Maister RECARD.
~~Sir MICHEL MULTERER.~~
 JHON BOYMAN.
 + GIB OF ASKRIK.
 JHON LISTAR.
 + JHON LORIMAR.
 WILL DIXSON.
 + THOM HACAT.
 ab NICHOL OF FYNNYK.
 + JHON BARCHAR.

¹ Twelvemonth.

² Jealousy in regard to the exercise of their privileges of trade prevailed from an early period

between Ayr and Irvine, and gave rise to frequent disputes.

³ Escheat.

- | | |
|--|-------------------------------|
| ab GIB BARCHAR. | + ROLLAND PROCTOUR. |
| + JHON WALKAR. | + JHON CAMBELL. |
| THOM OF CRAUFURD. | WILLIAM CHERE. |
| JHON VAZOUR. JAME CORDINAR. ¹ | + NEIL NEILSOUN. |
| ADAM MOUR. ALEX ^r ASLOANE. | JOHANNES STEWART. |
| + PATOUN DUGALD. ALEX. MUR. | ab JHON SADLAR. |
| WILL OF GLENGANOP. | + ADAM LACHLIN. |
| + JHON PANTOUR. | JOHN MULTERER yhonger. |
| JHON DAVISOUN. | PATRIK MOUR, gylđ. |
| JHON PETIT. | EDWART M ^c CHARRY. |
| + JHON M ^c CHARRY. | NEWYN M ^c MULLANE. |

Confratres gilde extra manentes.

- | | |
|-----------------------------------|-------------------------|
| JOHANNES MOUR DE SANCHAR. | + JHON MULTERER yelder. |
| JACOBUS DE CATHKERT. | |
| ADAM DE CUNYGAM. | |
| + RANKYN OF FOLARTOUN. | |
| + JOHANNES CHAMER DE GADYARD. | |
| RANKYN ALIN. | |
| FERGUSIUS KENNEDY. | |
| + JOHANNES WISCHARD. | |
| MACOLMUS QWILQWEN. | |
| ROGERUS WISCHARD. | |
| DONALD GLOVAR. | |
| JHON MAKYSON. | |
- GILBERTUS ASKRIK, decanus
anno xxxiiii.²
- | | |
|--|--------------------------------|
| | ADDAM M ^c KYLCRECH. |
| | JHON LUTSTER. |
| | Item PATOUN THOMSOUN, gylđ. |
| | ANDRO FARCHAIR. |
| | ARTHUR OF GALLOWAY. |
| | ROBERTUS MOUR DE SCELDOWY. |

On the last page of the volume (fol. 85 b), originally blank, the following note is written in a later hand than the foregoing:—

Isti fratres consentiunt ut habeantur le torches et . . . celebrari in die sepulture confratris³ . . .

¹ This and the two following names are added in the margin in a different hand.

² This item is in a different hand from the rest of the list, and marked as if intended for a marginal note.

³ As a friendly society, the Gild, besides assist-

ing brethren who were in difficulties, or who had suffered loss, or fallen into poverty or sickness, and caring for their orphan children, charged itself with securing that the last offices were rendered with becoming respect to every member of the brotherhood—to the poor as well as to the rich

JAMES OF BLARE.

Decanus gilde ADAM WISCHARD.

GEORGEUS QUHIT.

JOHANNES LANG.

MICHAEL MASON.

THOMAS MASON, aldermannus.

ALEXANDER RAITH } ballivi.

WILLELMUS REDE }

JOHANNES AFEAN.

THOMAS RICKE.

PATRICIUS KER.

THOMAS DICKSON.

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